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ABSTRACT

The guide contains ideas, materials, and suggested practices for teachers and administrators in dealing with human rights issues. It is organized into six parts. Part I discusses the human rights concept, its importance in Western democratic society, its legal bases, racism, and school responsibility. Part II outlines the responsibilities of administrative leadership for appropriate human rights education. Topics include the role of state and educational organizations, and obstacles the school administrator must overcome. Part III deals with methods for increasing teacher competency in human rights. The chapter includes a model for workshops or study groups. Part IV presents material for the study of individual human rights, provides check lists for evaluating human rights behavior, and includes case studies. Part V deals with curriculum development. Topics include social studies and language arts improvement, the study of controversial issues, equality of the sexes in curriculum and services, and methods for evaluating the school in terms of multicultural education. Part VI focuses on student rights, the law, and student unrest. Appendices include charts for organizing in-house and district-wide participation in improving school practices in human rights, a student rights inventory, and a scale to determine the attitudes of teachers and school administrators toward human rights of students. An annotated bibliography lists materials relating to specific rights, guidelines, school codes, materials, and basic rights. Lists of audiovisual materials and contact sources are also provided. (Author/KC)

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A Guide For Improving Public School Practices In Human Rights

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Prepared by the
Phi Delta Kappa Teacher Education Project on Human Rights
in collaboration with
the Southwest Center for Human Relations Studies,
the College of Education of the University of Oklahoma,
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STATEMENT OF PURPOSE

To serve as a guide for teachers and administrators as they plan to meet their responsibilities in the area of human rights and human relations.

THE HUMAN RIGHTS CREED IN EDUCATION
Preamble

As an educator in a democratic society, concerned with the human rights of people everywhere, I will exemplify in my behavior a commitment to these rights. Educators and the educative process must have a more significant impact in ensuring these rights for all people. Thus, I will translate my belief in basic human rights into daily practice. I believe in the right and its concomitant responsibility:

1. To Equal Opportunity for All in:

   Education
   Housing
   Employment
   The Exercise of the Franchise
   and Representation in Government

2. Of Due Process and Equal Protection Under the Law
3. Of Freedom of Speech and of the Press
4. To Dissent
5. To Freedom of or from Religion
6. To Privacy
7. To Be Different
8. Of Freedom from Self-Incrimination
9. To a Trial by a Jury of Actual Peers
10. To Security of Person and Property
11. To Petition and Redress of Grievances
12. To Freedom of Assembly

Developed by
Phi Delta Kappa
Commission on Education and Human Rights

PREFACE

For many years, Phi Delta Kappa had an active national Commission on Human Rights and Responsibilities in Education. This Commission, after involving thousands of educators throughout the nation, prepared the basic statement on human rights and responsibilities found on Page 2 of this guide. The statement was first published in the April 1968 issue of the *Phi Delta Kappan* and since that date, has been widely accepted by both educators and laymen.

In 1969, the Department of Health, Education, and Welfare funded a proposal from the commission which established the National Phi Delta Kappa Teacher Education Project on Human Rights with additional financial support from Phi Delta Kappa and from the Southwest Center for Human Relations Studies at the University of Oklahoma in Norman. The project was located at the University of Oklahoma and was directed by Ira Eyster.

In 1971, the project produced a *Guide for Improving Teacher Education in Human Rights.* This guide was distributed to all teacher education institutions in the nation and to many public school districts and educational organizations. Twenty-three teacher education institutions, including a consortium of ten from Oklahoma, were involved in the production and use of the materials in the guide. A revised edition was produced in July 1973.

Phi Delta Kappa has always been concerned with the improvement of public school practices in the important area of human rights and human relations. For this reason, major attention of the project has been directed toward the development of materials and a guide specifically designed to meet the needs of public schools and of the teachers and administrators who work in them.

This *Guide for Improving Public School Practices in Human Rights,* therefore, contains ideas, materials, and suggested practices which many public schools have found helpful in working effectively with the difficult problems most schools face in human relations and citizenship education.

This guide is divided into six parts:

I. Discusses the human rights concept, its importance in Western democratic society, and why it is a major challenge for our schools.

II. Outlines the responsibilities of administrative leadership for appropriate human rights education today.

III. Deals with methods for increasing teacher competency in the human rights field. Includes a model for workshops or study groups and ways to make them more effective.

IV. Presents material for the study of individual human rights. Provides check lists for evaluating human rights behavior. Includes cases for study and review.

V. Deals with the curriculum and how to improve it for better human rights education.

VI. Focuses on students and student behavior.

Teachers and administrators will find all sections useful, but administrators may find special interest in Section 7 of Part I (Legal Directions), and Part II which deals with leadership for human rights education.

Glenn R. Snider, Chairman,
National Policy Committee
Phi Delta Kappa Teacher Education
Project on Human Rights

ACKNOWLEDGMENTS

The experiences gained from using two editions of the *Guide for Improving Teacher Education in Human Rights* in public schools form the basis for this guide. Some materials are obviously pertinent for use at both the higher education and public school levels. The need for developing specific approaches and suggestions for use by public school educators is just as apparent. This need prompted the production of this guide.

The major research and writing in the preparation of this guide, not found in the earlier *Guide for Improving Teacher Education in Human Rights,* was made by Glenn R. Snider, chairman of the national policy committee of the Phi Delta Kappa Teacher Education Project on Human Rights. Final editorial assistance was provided by Charles Foster, a member of the committee.

Thanks also go to Joe Fleck and Gertrude Noar for important contributions and to Donald Hall, Director of the Southwest Center for Human Relations Studies, and to the Phi Delta Kappa organization for encouragement, editorial assistance, and financial help. Appreciation also goes to the College of Education at the University of Oklahoma for financial assistance and to Kay Walters who supervised the final typing and preparation of this guide. The members of the national PDK committee assisted in the final production through suggestions and editorial assistance.

Ira Eyster
Director of the Project

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PART I

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Section 1
EDUCATION AND HUMAN RIGHTS

A Statement of the Phi Delta Kappa Commission on Education and Human Rights

Introduction

The concept of human rights is as old as man and goes to the very core of relationships among men. It is a dynamic force rooted in basic moral and ethical values.

If human potentialities are to be realized, society must be concerned not only with theoretical and philosophical concepts of human rights, but equally with translating these concepts into realities expressed in the behavior of free men. It is imperative that human beings live together in ways which accord each person, irrespective of biological and cultural differences, full dignity, respect, and value, simply because he or she is human. This objective cannot be achieved unless each human being has the opportunity, through education, to develop his abilities and talents.

A commitment to human rights requires that no person be denied opportunity to engage in any kind of activity that is valued and rewarded by his society. While national origin, racial identity, religious preference, economic status, and other factors which differentiate human beings must be accepted as realities, none of these conditions should add to or detract from the worth of an individual as he is perceived by other human beings. Education's goals must include reducing the more mischievous differences and bolstering the concept of equal worth.

Some of the most disturbing and far-reaching problems of our society center on the area of human relationships and responsible citizenship. They will be resolved only as the capacity of individuals to deal with them is improved. This capacity is likely to be improved in a democratic society only as more people understand and become committed to the values and human rights delineated in the basic documents which constitute the legal foundation for organized government.

The purpose of this statement is to define human rights and identify the values which support them, describe the role of education in achieving basic human rights, and illustrate school policies consistent with that role.

Values

The values a people hold are beliefs giving direction and meaning to their behavior. Among the beliefs basic to realization of the rights of free people in our society are: that each individual is equal in dignity and worth to every other individual; that freedom must be granted to pursue individual goals which do not infringe upon the rights of others; that the application of reason is the best means of resolving man's problems: that institutions are established by people and should contribute to the welfare of the individual and society; that the concepts of truth and moral responsibility are crucial and fundamental.

Human Rights

The human rights most prized by our society grew out of struggles celebrated in the history of Western civilization. Man's unending search for human rights produced the tenets of Judaism and Christianity; the principles of Graeco-Roman philosophy and law; the Magna Carta; the Petition of Right; the Declaration of Independence; the Constitution of the United States; the Declaration of the Rights of Man; the Universal Declaration of Human Rights of the United Nations; and a long list of other declarations, documents, proclamations, legislative enactments, and judicial decisions, the proud products of democracy.

Among the rights these landmark statements seek to secure are life; liberty; security of person; equality of opportunity for every individual in every facet of life; freedom of speech; freedom of press; freedom of or from religious beliefs; the right of due process; freedom of

assembly, petition, and redress of grievances; protection against unreasonable search and seizure; freedom from self-incrimination; the right to trial by a jury of peers; the right to privacy; the right to fair and equal representation in government; the right to own property and enter into contracts; the right to select leaders through the exercise of the franchise; and the right to dissent.

Education

Formal education is a powerful and effective means by which our society can realize the promise of our human rights heritage. It is important that educational programs emphasize not only the rights but also the responsibilities inherent in each of them. A major challenge for education at all levels is to teach and practice these rights and responsibilities faithfully and well in every classroom.

It is impossible to teach and practice democratic values and human rights and responsibilities in a school in which the worth of the individual is not prized. Consequently, every person engaged in the formal education process, including members of governing boards, should in his behavior exemplify commitment to these human rights and responsibilities and the values which support them. It is, of course, impossible to achieve the goals identified here in a school which is racially segregated, whether the segregation results from consciously adopted policy or from historical forces more difficult to reverse.

Behavior

A democratic society is attaining its goals when the thoughts, attitudes, and overt behaviors of the people exemplify the values and human rights and responsibilities identified.

Illustrative of behaviors which demonstrate a commitment to some basic human rights are the following examples:

1. *Freedom of Speech*—All persons have the basic right to express opinions and ideas on any subject or issue. All students should have access to truth in relevant published materials and must be free to discuss controversial issues, with responsible direction in the classroom or on the school campus.

2. *Due Process of Law*—All persons are presumed innocent until proven guilty. Students suspected of violating the school's rules or regulations should be presumed innocent until guilt is established. No situation or condition, however, relieves the individual student from the necessity of exercising good judgment and responsibility.

3. *The Right to Privacy*—Every individual has the right to privacy of person and action, as he develops his personality and tastes, so long as he does not infringe upon the rights of others. The school should not impose undue restrictions on patterns of dress and personal grooming on the mere assumption that they unfavorably influence the learning situation.

4. *The Right of Dissent*—All persons should have the right to take a responsible point of view on any issue without fear of recrimination or reprisal. A student should be able to take issue with the teacher's views on a given issue without being labeled a troublemaker or suffering a lowering of his grades, just as a teacher should be able to take issue with administrators at proper times and places, without penalty.

5. *The Right to Equal Opportunity*—No person shall be denied equal opportunity for education. Schools should not require students to take courses or educational experiences at inappropriate levels of interest, ability, and comprehension, nor should the school establish arbitrary and capricious restrictions on students as a condition for participation in programs of the school.

The values and the human rights identified in this statement apply to society as a whole. Because education is a major vehicle for the achievement of these rights, the school should make them central to its philosophy and practice.

Section 2
HUMAN RIGHTS AND CIVIL RIGHTS

The concept of human rights is based on the belief that human beings live together in ways that accord each person full dignity, respect, and value, simply because he is human. Human rights become civil rights when they are enforced through judicial (legal) or administrative action. The human rights that are the major concern in this guide are, for the most part, civil rights. There are some generally recognized human rights, however, that have not yet become civil rights, such as the right to learn, the right to work, and the right to an adequate standard of living.

Human rights and civil rights will not endure unless we know as citizens what we should preserve and why. Making a democracy function will never be an easy job. The task cannot be done unless there is general acceptance of individual liberty to act responsibly, a concern most important in time of local or national crisis. Supreme Court Justice Brennan has said, "If we don't recognize that civil rights and liberties are available in the hard cases, then we have no assurance that these rights will be available in the easy cases."

In 1948, adoption of the Universal Declaration of Human Rights by the United Nations gave this matter an international dimension. However, the rights enumerated in it become civil rights only as each nation establishes the legislative, administrative, and judicial safeguards for their exercise by the citizens of that nation. Unfortunately, this condition does not prevail in numerous nations that have adopted this declaration.

Section 3
EDUCATION AND HUMAN RIGHTS: A CONCEPTUAL FRAMEWORK

The United States is by no means a perfect democracy, but it is more democratic than most of the nations of the modern world. If some substantial degree of democracy is to persist—if a higher level of civilization is to be attained—students and teachers must be concerned with the fundamental values upon which a democratic society is built. Inherent in these values are human rights and responsibilities. Yet the schools, which are the training grounds for future citizens, often violate these most basic human rights.

Historically, this nation has been committed to the abstract ideals of democracy as stated by John Locke and to the defense of such inalienable rights as life, liberty, and the pursuit of happiness. However, a high regard for the concept of democracy in general cannot solve conflicts that arise over specific rights or interpretations. Unfortunately, there are as many meanings as there are contexts and adherents. Plainly the John Birch Society and the Students for a Democratic Society do not agree on what constitutes a good life, the good citizen, the good society, the meaning of democracy, or the proper interpretations of human rights.

Nevertheless, a core of common beliefs about democracy does exist among most Americans, and this core is fundamental to any consideration of rights. It is absurd to discuss political, civil, or human rights outside a context in which such rights exist and are respected. Totalitarian societies make a mockery of such fundamental values as the dignity and worth of the individual.

Education is the process by which children acquire the attitudes, motives, beliefs, skills, behaviors, and methods of thinking which are sanctioned by the adult society. In a democracy, this process must be characterized by deep concern for the values and human rights previously identified. Schools are the major institutions involved in the transfer of the more refined aspects of the culture from one generation to the next.

If the democratic tradition embodies the deepest intellectual and moral commitments of the American people, as Gunnar Myrdal says it does in *An American Dilemma,* then that tradition must be a basic component of education. Schools must define democratic ideals. They must provide leadership for the development of individual commitment to the rights and

duties of the democratic citizen. They must teach about democracy without indoctrination. They must demonstrate a commitment to these values in their institutional practices.

It may be argued that many basic human rights are subject to as many interpretations as democracy itself. It may also be claimed that rights such as freedom and equality are not compatible but actually conflict with one another. While these arguments have merit, some clarification and understanding of rights are still possible. Conflict between rights and interpretation of rights may be resolved by the establishment of accepted priorities. This is Myrdal's position when he describes the American creed as that body of cherished values most central to a democratic people.

John Dewey, an outstanding spokesman for democracy, understood the clear consciousness of community in which individualism is balanced against genuine social concerns. Dewey insisted that democratic ideals such as liberty, equality, and fraternity were meaningless abstractions when they were isolated from community life. Equality and liberty are rights which are understood properly only when they are translated into working rules for making everyday concrete decisions resulting in action. Democracy then descends from the utopian ivory tower and becomes a life-style in which argument, persuasion, reason, and scientific investigation result in workable ways of behaving. It becomes a way of life in which no right is demanded without understanding the responsibilities it implies. Every right is considered in relationship to other rights, and no act that violates a right goes unchallenged.

In recent years, the connection between civil rights and efforts to keep order has been strained. Assassination, hijacking, kidnaping, and bombing obviously cannot go unchecked. Such activities violate every principle of democracy and human rights. Yet extending to law officers the privilege of entering private homes without knocking or sending the National Guard against unarmed students may be almost as intolerable. Both the anarchy of the mob and of the police state are fatal to human rights and to democracy.

It is sufficient to offer the student information in order to make him an intelligent, adult citizen. Education for citizenship must grow out of actual participation in the democratic processes. There is little hope that human rights can survive if they are part of the curriculum but not part of the educational practices to which students and faculty are subjected.

American public schools have a distinct responsibility for establishing school practices and behaviors which permit students to experience democratic processes based on the values and human rights enumerated in the Phi Delta Kappa statement. When it is realized that schools in general throughout America have been highly authoritarian institutions, the task of achieving this goal is admittedly difficult. The day is past, however, when schools can merely give lip service to this ideal.

Therefore, a challenge which every school faces is the development of a school climate in which high priority is given to student and faculty involvement in the processes and programs of the school, the creation of relevant courses and learning experiences, and a deep concern for the psychological and educational needs of students.

Section 4
THE AMERICAN DEMOCRATIC SOCIETY

What is the American democratic society? What is a free society? What is meant by law in a free democratic society? What are the basic elements that give meaning to these words and phrases? What are the ultimate goals of such a society and how do these relate to the American citizen as a free person? What basic beliefs give direction to the lives and behaviors of most Americans?

The answers to these questions are peculiarly relevant in 1975 as millions ponder the meaning of the recent crisis in government which threatened the confidence of untold numbers of American citizens in the integrity of their national government and other basic institutions so important to the welfare of individuals and our nation. What are the things we value most in America?

Perhaps our national mission should again be identified. Most would agree that its basic element is the worth of the individual and a deep commitment to achieve liberty, equality, justice, truth, and the brotherhood of humankind. To achieve these goals, there must be an equal commitment to preserving the basic human rights of all persons simply because they are human. To protect these rights and the welfare of society in general, a government deriving its just powers from the consent of the governed is required. Thus, we have law in a free society.

Most thinking Americans would probably agree that the conceptualization described above is what American democracy is all about, providing that the basic material requirements necessary to the ultimate pursuit of happiness are also present. Therefore, it is fundamental that our schools be deeply concerned about these values which appear unattainable without a deep societal commitment to such human rights as free speech, assembly, petition, privacy, religion, due process, equal protection under the law, and others.

No one denies the obligation of the school to develop thinking citizens who can work and live effectively and comfortably with others. Therefore, the school cannot evade the responsibility for developing institutional practices and educational programs which place high priority on the achievement of these purposes. What school practices and what instructional approaches and strategies are best calculated to be successful in reaching these goals? This is the difficult problem facing school administrators and teachers in the thousands of elementary and secondary schools all over the nation.

The understanding of law and the manner in which it functions and should function in this nation is fundamental if we as a society are to realize our aspirations as expressed in terms of values and human rights. "Law and order" as a concept must be regarded by American citizens as the process dependent on a unique collaboration between the legislative, executive, and judicial arms of our government—the object of which is to insure that truth, justice, and equality will be sought and that the individual will be protected in the enjoyment of rights and liberties as long as the rights and liberties of others are not threatened. If the law does not do this, then no one can enjoy human rights, and the general welfare is threatened.

For these reasons, we must all know how our law works and how our system of jurisprudence and law enforcement functions. The system must be continually evaluated to see how much it contributes to the fruition of these values and the responsible enjoyment of these rights.

Norman Cousins recently said, "It is no accident that the Declaration of Independence begins with a 'decent respect to the opinions of mankind.' The words mean that this society is dedicated to the proposition that it is a human enterprise before it is a national enterprise and that the rights and welfare of other people are no less important than our own. Truth and other values must be institutionalized in government and this is what is meant by a government of laws rather than of men."

Educators must develop individual behaviors and school practices which truly demonstrate those values and principles that are the bedrock of American democratic society.

Section 5
RESPONSIBILITY AND HUMAN RIGHTS

Belief in individual liberty must necessarily imply a belief in individual responsibility. Liberty implies that the individual has the opportunity of choice and must bear the consequences of each action. Thus, liberty and responsibility are inseparable. It is inherent in the nature of human rights that they cannot exist unless they are exercised responsibly.

Responsibility for Liberty

In our democratic society, all of us must share a high degree of responsibility for keeping the concept and practice of liberty alive. This is a responsibility inherent in our citizenship. Liberty is fragile and most certainly will perish unless the majority insist that the behavior

of those in power be consistent with our democratic value structure, and that political expediency must not forego the process of democracy in the solution of critical problems and issues.

Yet powerful values with high priority in the American democratic society often conflict with our sense of responsibility for liberty. Economic success, the accumulation of wealth and property, social status, power, influence, and security, all have a powerful hold on many people.

These values are severe deterrents to the exercise of responsibility for human rights when individuals see them as more important than their own basic rights or the rights of others. Consequently, the democratic principle suffers.

Other values may be held at different levels of importance by people in the various classes and groups of society. Some are the work ethic, legal marriage, social welfare, and the sanctity of private enterprise.

This conflict over the priority of values should be of concern to educators because of a persistent gap between what the American public says it believes about the American system and what it practices. All of these potential sources of conflict are related to the issue of responsible behavior.

There can be no question but that one who enjoys liberty must assume the responsibility which it confers. The concept of responsibility in the exercise of human rights is based on the realization that for every right a concomitant responsibility exists to protect others in the exercise of their rights.

Thus provisions are consistently established in law regarding limitations or restrictions which intend to protect the rights of all parties concerned.

The law likewise restrains the manner in which those who enforce the laws may function so that individual rights may be protected from abuse by established government agencies.

Experience has abundantly shown that unilateral support for almost any human right—without emphasis on the accompanying responsibility—can lead to mounting pressure against the right in question.

The delicate balance existing between human rights and responsibility, and some guiding principles for schools to observe in exercising the responsibility for limiting freedom, are outlined in the following statement from *Academic Freedom in the Secondary Schools* by the American Civil Liberties Union:

> From the standpoint of academic freedom and civil liberties, an essential problem in the secondary schools is how best to maintain and encourage freedom of expression and assembly while simultaneously inculcating a sense of responsibility and good citizenship with an awareness of the excesses into which the immaturity of the students might lead.
>
> It is the responsibility of faculty and administration to decide when a situation requires a limit on freedom for the purpose of protecting the students and the school from harsh consequences. In exercising that responsibility, certain fundamental principles should be accepted in order to prevent the use of administrative discretion to eliminate legitimate controversy and legitimate freedom. The principles are:
>
> 1) A recognition that freedom implies the right to make mistakes and that students must therefore sometimes be permitted to act in ways which are predictably unwise so long as the consequences of their acts are not dangerous to life and property, and do not seriously disrupt the academic process.
>
> 2) A recognition that students in their schools should have the right to live under the principle of "rule by law" as opposed to "rule by personality." To protect this right, rules and regulations should be in writing. Students have the right to know the extent and limits of the faculty's authority and, therefore, the powers that are reserved for the students and the responsibilities that they should accept. Their rights should not be compromised by faculty and administrative members who, while ostensibly acting as consultants or counselors are, in fact, exercising authority to censor student expression and inquiry.
>
> 3) A recognition that deviation from the opinion and standards deemed desirable by the faculty is not *ipso facto* a danger to the educational process.

Abuses of the Principle of Responsibility

One practice which has done the most to threaten basic American human rights and

individual liberty is insistence that responsibility be demonstrated by the individual *before* he is permitted to exercise liberty. This has especially been true in the case of black citizens.

The forces of organized government in many states have been engaged systematically for a hundred years or more in activities which legally deprived millions of citizens of the equal protection of the law in their exercise of the ballot, the acquisition of an education at public cost, equal opportunity in housing and in employment, and the enjoyment of other basic rights.

Many of these acts were justified on the premise that black people were not ready to enjoy these rights. They were forced to demonstrate through discriminatory legislation that they could exercise these rights responsibly, when all thinking American citizens knew that the rights in question should not be subject to legislative restriction.

Many Americans, however, still believe that people, because of their race, religion, social class, or other conditions, should be restricted in the exercise of their rights. The net result of such attitudes is that many American citizens still suffer from violation of their rights to justice, due process, equal opportunity in education and employment, adequate housing, health and safety, and the pursuit of happiness.

Everyone must keep foremost in his mind that the basic human rights identified in the Phi Delta Kappa statement are rights all American citizens possess. They do not have to earn rights, but because they are responsible for the consequences of their own conduct, they are under an obligation to exercise them responsibly so that they pose no threat to the basic human rights of other people.

Section 6
RACISM AND HUMAN RIGHTS

The United States Commission on Civil Rights stated in 1970 that racism may be viewed as any attitude, action, or institutional structure which subordinates a person or group because of his race or color. Even though race and color refer to two different kinds of human characteristics, in America it is the visibility of skin color and other physical traits believed to be associated with particular colors or groups that mark persons with these characteristics as targets for subordination by the white majority.

Harold Howe, former U.S. Commissioner of Education, stated recently, "Racism is widespread, pervasive, rampant, and on the increase at different rates in different places and very much evident in the education system." This view is shared by other perceptive observers of the current American scene.

Mere awareness of another person's color or race is not necessarily racist, but racism is present when a reaction to color or race entails some kind of subordination. Much racism is unintentional and the person may be unaware that his behavior is racist, but the result may be as damaging as if the act was intentional.

Racism holds that some people are inherently inferior or superior by reason of their color. Although there is no scientific evidence to justify this conclusion, the view is set forth that people of one race (white people of Northern European background) from birth are superior to others in intellectual endowment, in character, and in morality, as well as in cultural attainments. The social pattern that flows from this is that white people in many societies occupy this superordinate position and use the resulting power to keep black, brown, and yellow people, or even people of a different religion or language, in subordinate positions. That is, persons who differ from the white, Northern European majority are often denied the freedoms, the rights, and the dignities that affirm their individuality as persons of intrinsic worth.

Racism is a disruptive factor in an American society which supposedly guarantees full and equal opportunity to all people. It is generally viewed as a complex of white actions that assure white superiority in the social, political, and economic status systems and in the psychological systems of the nation. Racism is expressed in the practices of institutions, organizations, and governmental agencies, as well as in the attitudes and behaviors of individuals.

The net result in American life is racial discrimination, the denial of the equal enjoyment of their human rights to minority racial groups.

Deeper Aspects of Racism

The University of Michigan High School Research Project recently stated that much content in American education is based on political ideas that alienate blacks. The society in general tends to ignore minorities, and schools have supported that bias in the curriculum. This includes having predominantly low expectations for minority youngsters, which are devastating to their academic growth.

The study further asserts that the absence of blacks and other minority professionals on the faculty and staff and discriminatory tracking systems reinforce the misconception propagated by whites that color of skin determines ability. Thus, racism may be found operating deeply in the curriculum; in school rules and regulations, particularly those regarding suspension and expulsion; in practices in the activity program; in staffing and promotion practices for teachers and administrators; in guidance and counseling practices; and in the lack of challenging programs for school personnel in the area of human relations and human rights.

While the major concern of school administrators and teachers is the elimination of school practices which reflect racism, it is suggested here that all educators in all kinds of schools in this society should actively work toward the reduction or elimination of practices in the community and society which perpetuate bias, prejudice, and discrimination toward persons and groups because of their race, religion, or socioeconomic condition. Unfortunately, the schools too often reflect the inadequacies of our society. To remain aloof from these conditions in the community is to force the schools to work continually under conditions which inhibit their effectiveness in meeting the needs of students.

What Can an Individual Do About His Own Racism?

1. Recognize that subordination of another because of race or color automatically denies the enjoyment of basic human rights as guaranteed by the Bill of Rights.

2. Carefully examine habitual modes of speech, language, and thought patterns to discover and try to eliminate stereotypes, name calling, scapegoating, downgrading, and the use of hostile and abusive terms in talking to or in describing members of other groups.

3. Challenge others in their use of stereotypes and demeaning ethnic, racial, and religious jokes, anecdotes, and stories.

4. Eliminate tendencies to reject and/or exclude members of other groups.

5. Eliminate negative attitudes toward supposedly nonacademic students and nonconformists.

6. Engage in self-confrontation through the use of encounter groups, group or personal therapy sessions, meditation, and self-appraisal tests.

7. Enlarge one's circle of associations and friendship patterns through participation in mixed professional and social groups.

What Can Be Done To Change School Racism?

1. Organize inservice programs and efforts accenting human rights and responsibilities to demonstrate that racism is the denial of human rights to persons because of their race.

2. Develop patterns of hiring, placement, and advancement of classified and professional staff members to secure opportunities for all qualified personnel.

3. Institute an active program of recruiting minority staff and faculty members.

4. Provide multi-ethnic textbooks, references, and supplementary materials K through 12, for all schools.

5. Reduce the use of culture-biased tests, especially IQ tests used to separate pupils into instructional groups.

6. Eliminate systems of tracking or ability grouping that create patterns of segregation in classrooms.

7. Organize and administer inservice education programs for all teachers and their personnel designed to raise their consciousness of personal and institutional racist practices in the school or school system.

8. Encourage, assist, and reward school and/or classroom programs aimed at enlightening racist attitudes and behaviors in students.

9. Develop programs designed to reduce racism in the community and solicit the help of community groups in this effort.

10. Use local ethnic talent and leadership as resource persons, consultants, and speakers in the school.

11. Organize student, parent, and faculty committees on human relations.

12. Provide for adequate and balanced representation of all groups on policy, curriculum, and activity committees.

13. Provide opportunity for all students to study American values and the contributions of minority groups to American civilization.

14. Provide equal and unrestricted opportunities for members of all groups to participate in all activities.

Section 7
LEGAL DIRECTIONS REGARDING RIGHTS

Although this guide does not include an exhaustive coverage of court cases dealing with human and civil rights, it is necessary to consider some of the more important decisions in this field. It should also be noted that some of the rights discussed here have not been specifically considered by the courts. Moreover, court opinions have not always expressed a consistent rationale.

Nevertheless, public school administrators need to be aware of court decisions that have been made regarding the rights of students and teachers, and their implications for school behavior. Educators are certainly obliged to operate their schools so as to avoid unnecessary conflict and litigation, much of which is caused by a tendency for some administrators and teachers to impose their own private set of beliefs and values on individuals in the schools under their jurisdiction.

The basic issue in many cases recently before the courts is that students and teachers do possess citizenship rights which are not surrendered upon entrance into the public schools. Administrators and boards of education who strive to appreciate this principle, so that it becomes a basic factor in all decision making, will be instrumental in developing public schools which reflect the cherished ideals of our American heritage.

Therefore, all school administrators will be doing themselves and the schools for whom they provide leadership a service if they will become familiar with the major judicial decisions of the past decade surrounding the rights of teachers and students. A major characteristic of this period is the significant increase of lawsuits brought against school boards and school administrators by students and teachers. These suits have often been encouraged and supported by powerful social action and educational organizations like the National Education Association, the National Association for the Advancement of Colored People, and, of course, the American Civil Liberties Union.

Other professional education organizations like the American Association of School Administrators, the National Association of Secondary School Principals, and many state affiliates

of the National Education Association have issued publications and position statements regarding the civil and human rights of individuals and recent legal interpretations having implications for effective operation of the schools.

Nolte recently stated that a momentous thing happened in the sixties and early seventies when two huge population groups—teachers and students—gained rights in school that they had never really had before. Teachers benefited in the civil rights movement through judicial decisions and legislation, expanding their rights to include widespread provisions for collective bargaining. Individually, too, a teacher's interest in his position through increased organizational activities saw the Supreme Court hold that this is in fact "property interest," thus forcing a board of education to show cause why a contract should not be renewed whether the teacher was tenured or not.

The Supreme Court upheld the right of teachers to speak out on public issues when the dismissal of a teacher who criticized the school board in a published letter was overruled in *Pickering v. Township High School Board of Education, Will County, Illinois.* Due process guarantees for teachers are now commonly included in the policy statements and personnel policies of hundreds of school districts throughout the nation as a result of recent court decisions and in part from activities and procedural guidelines developed by various national educational organizations. Illustrative of such policies is that of the Los Angeles County Schools titled, *The Teaching of Critical Thinking and Controversial Issues in Secondary Schools,* which outlines the procedural guidelines to be followed as complaints are handled in this area of concern.

The Supreme Court has been steadily moving toward an expansion of juvenile rights. In *In re Gault,* the Court emphasized, "Neither the Fourteenth Amendment nor the Bill of Rights is for adults alone." The case for juvenile and student rights was further strengthened when the Supreme Court stated in 1969 in *Tinker v. Des Moines School District,* "Fear or apprehension of disturbance is not enough to overcome the right of freedom of expression. . . . Our Constitution says we must take this risk. . . . School authorities do not possess absolute authority over their students. . . . Students in school as well as out of school are 'persons' under our Constitution." As Nolte says, the Tinker case transformed students from objects of public direction to persons in their own right, and the philosophy thus enunciated has influenced many cases involving student rights since 1969.

Perhaps the most far reaching decision of the Supreme Court occurred in 1954 with the famous *Brown v. Board of Education* decision which, in essence, stated, "The equal opportunity for an education should be made available to all, . . . that education is perhaps the most important function of state and local governments, . . . and that the doctrine of separate but equal could not in fact be equal." The case further expanded the concept that schooling cannot be lightly denied to an American child or adolescent through expulsion or suspension without due process of law.

The years 1974 and 1975 saw a significant expansion of the rights of both students and teachers, especially with regard to the rights of privacy and due process. The Supreme Court in February 1975 stated that school board members might be sued for damages in some circumstances for violating the constitutional rights of students, especially if the action was taken with malicious intent and not in good faith.

The Supreme Court ruled in 1974 that pregnancy policies which require maternity leave for teachers at a specified time without pay and regardless of physical condition were a denial of due process. An Illinois Court even ruled in 1973 that an unwed pregnant teacher should be reinstated with back pay because dismissal was a denial of equal protection of the law since bachelor teachers who might cause pregnancies continue teaching.

School districts all over the nation are currently re-examining their policies on who may have access to the confidential records of students in the schools. The recent federal legislation concerning parent and student access to the school's records has already had far-reaching consequences and not only will open such records to students and parents but also will close them to sources which had easy access to them before.

In *Goss et. al., v. Lopez et. al.* in early 1975 the Supreme Court finally appeared to clarify the matter of suspension of students for not more than ten days. The Court stated that even

in the case of brief suspensions, the liberty and property interests of students were guaranteed the protection of the due process clause of the 14th Amendment. The implication, of course, is that each school must set up procedures which will insure students due process is available.

For decades teachers have been dismissed from jobs for aspects of personal behavior which bore no relationship to their ability to satisfactorily perform their duties. This persistent invasion of the privacy of teachers and other educators has long been a burden many were not willing to bear and without doubt was a major reason for many to leave the profession. However, courts in many states in recent years have shown a disposition to uphold the rights of teachers as they challenged the authority of school administrators and boards to regulate their personal behavior.

The DuShane Emergency Fund of the NEA and state affiliates of that organization have been active in recent years in providing financial assistance for teachers to resist efforts to dismiss them for reasons which they regard as indefensible.

Equal rights for women is currently the most significant activity in the civil and human rights area. The activities of the Department of Health, Education and Welfare have been so far reaching that the practices of both public schools and colleges are undergoing drastic change in the employment of women in education. The principle of affirmative action for members of minority groups and women is, without doubt, a current significant influence in most educational institutions throughout the nation, particularly in colleges and universities, where the number of women employed has always been low and where women generally hold the lowest paid positions.

The task of maintaining a balance between individual rights and the broad societal responsibilities of the school remains a difficult but not impossible task. The courts have shown an appreciation of the special nature of the public school as a social institution which must serve the needs of pupils who differ in their emotional and intellectual needs and capacities. They have never contended that the rights of students and teachers are absolute, as indeed they are not, even within the context of the larger society.

When a specific right is in conflict with an educational policy or decision, each must be carefully weighed and evaluated. A test often employed by the courts may prove helpful when faced with such a dilemma. Consider whether or not the action or policy will make a necessary and educationally sound contribution to the students served by the school, and whether the existing policy or regulation is a reasonable one which does not infringe unduly on the individual rights of the student.

Part IV of this Guide will provide a more detailed treatment of specific human rights and the court cases which appear to be important in identifying legal directions.

PART II

LEADERSHIP IN HUMAN RIGHTS

Section 1 — The Role of the State and Educational Organizations

Section 2 — Responsible Leader Behavior: Some Questions

Section 3 — Human Rights: Responsible Leader Behavior

Section 4 — Human Rights: Obstacles the School Administrator Must Overcome

Section 1
THE ROLE OF THE STATE AND EDUCATIONAL ORGANIZATIONS

What is the Role of a State and its Department of Education and Professional Education Organizations in Providing Leadership to Public Schools in the Area of Equal Educational Opportunity Including Human Rights, Human Relations, and Intercultural Education?

Public education in this nation is the legal responsibility of the state governments. Each state, therefore, has the task of creating the conditions within which that responsibility can be discharged, and every state has through the years assumed that obligation to some degree. Unfortunately, many states have not demonstrated effective and courageous leadership in developing quality educational programs designed to achieve a genuine educational opportunity for *all* students. Some states, however, are now providing such leadership. Examples may be found in policy statements developed in Minnesota and Colorado. These states have published extensive policies, materials, and codes for the guidance of public schools in the areas of equal educational opportunity, intercultural education, human rights, and human relations. The Minnesota program is characterized by an extensive effort at the inservice education of education professionals in these areas. The Minnesota and Colorado state policy statements follow:

The Minnesota Statement

The Minnesota State Board of Education and the Minnesota Department of Education are committed to the constitutional mandate of providing equal educational opportunities to all students in the public schools of Minnesota. Inequities in educational opportunity are multidimensional. To overcome them, the resources of local, state, and federal agencies must be developed and coordinated. Racial prejudice and class separation, basic causes of educational inequities, are no less pronounced in our school systems than elsewhere in our society. *No challenge is more urgent to the leadership role of the State Board of Education and the State Department of Education than the necessity of assuring the fullest possible education for all students, regardless of their racial, cultural, or socioeconomic backgrounds.* The state Board of Education and the State Department of Education propose to develop new policies and new designs of a program for equal educational opportunity for all students commensurate with today's challenges. . . .

Recognizing that propitious changes must occur in the relationships of man to man if the destiny contemplated in the Bill of Rights and the Constitution of this nation is ever to be attained, the State Board of Education directs the State Department of Education to assume greater leadership in the following areas bearing upon the intertwined themes of equal educational opportunity and improved human relations:

A. Curriculum provisions
B. Instructional materials
C. Teacher training
D. School administration
E. Legislative proposals

The Colorado Statement

The Colorado Department of Education, under the direction of the State Board of Education, is committed to the constitutional mandate of providing equal educational opportunities to all students in the public schools of Colorado. It seeks to fulfill its mandate by the development of policies and designing programs for equal educational opportunity for all students commensurate with today's challenges.

There are many causes for inequities in educational opportunities and to overcome them the resources of local, state, and federal agencies must be developed and coordinated. Racial

and cultural prejudice and class separation, among the many basic causes of educational inequities, are as pronounced in some of our school systems as elsewhere in our society.

No challenge is more urgent to the leadership role of the Colorado Department of Education than assuring the fullest possible education for all students, regardless of race, creed, culture, sex, or socioeconomic background.

Public education is committed philosophically to the respect for cultural and racial plurality as a significant value in our American way of life. Students need to develop positive, personal, and cultural identities which will enhance their self-concepts, thereby assisting them to merge successfully into the mainstream of American society. Such a commitment in theory must be accompanied by a commitment in practice. The level of respect and genuine appreciation for the diversity which our cultural and racial groups represent must emerge on a broad scale. . . .

Recognizing that changes must occur in the relationships of man to man if the goals contemplated in the Bill of Rights and the Constitution of this nation are ever to be attained, the Colorado Department of Education is assuming leadership in the following areas of equal educational opportunity and improved human relations:

1. Curricular and co-curricular provisions must be made for satisfactory experiences in working with and learning about people of all cultural and racial groups. Each course, not just the social studies, must exercise a leadership role in enabling students to analyze today's current problems and their possible solutions. . . .

2. Instructional materials and media must be provided for our teachers. Curriculum materials must be presented in a realistic manner which does not distort facts or does not omit reliable materials. . . .

3. School administrators have the power to establish positive attitude changes through executive policies and decisions. Therefore, the Colorado Department of Education encourages the local boards of education to select and train perceptive, sensitive, and action-oriented persons. Systematic inservice training is crucial to the continuation of these qualities. . . .

4. Teacher education must be closely attuned to the changing character of society, and teachers must learn how to incorporate these changes into effective teaching. A teacher evaluation program must begin with an analysis of teachers' current attitudes, ideas, and concepts. . . .

Position Statements by Professional Organizations

Professional leadership in these concerns has also been provided by many professional education organizations and associations. While these groups have no legal obligation to assume leadership in this field, their positions have nevertheless been influential in the improvement of school practices in human rights and human relations. Two such statements, developed by the Oklahoma Association of Secondary School Principals and the Connecticut Education Association, follow.

Position Statement of the Oklahoma Secondary School Principals' Association in the Secondary School Principalship

WE BELIEVE: Leader behavior in this democratic society should be based on the moral and political values which stem from these values such as freedom of speech and press and religion, the right of due process of law, the right of privacy, the right of dissent, and equality of opportunity for every individual in all aspects of society. Decision making involves values, and the principal and school should behave in a manner which reflects these values.

Thus, the principal as an educational leader must have a deep commitment to the achieving of equality of educational opportunity and to the developing of schools which can attain this goal. He should work courageously to create in the school conditions which will permit all students to gain equal access to the school programs which will meet their needs. He must

pledge himself to make effective the integration of minority individuals and groups in the life of the school and ultimately, of the community.

To attain these goals, the principal must be professionally competent. Boards of education and superintendents of schools should provide him with the authority to exercise his responsibility for effective leadership within a framework of careful adherence to the integrity and the human rights of both teachers and students. . . .

The principal has the responsibility of creating the conditions which encourage effective participation, not only of the faculty but also of students, in decision making and in the development of policies and regulations affecting the school. He must recognize the changing nature of the societal climate for children and youth and make adequate provision for deeper involvement of faculty and students in the life of the school and in this decision-making process.

In the last analysis the principal is responsible for creating a healthy and stimulating climate in the school within which superior education will be possible. In turn, we believe that a principal has a right to expect the active, continuing support of the superintendent and board of education as he discharges his responsibilities to the staff and to the students within the above framework. . . .

The Connecticut Education Association and Human Relations: A Statement of Policy and Goals

The Connecticut Education Association assumes as one of its basic purposes the fostering of affirmative action programs to bring about complete equality of educational opportunity and the enhancement of human relations at all levels in Connecticut schools and society.

The Connecticut Education Association believes that the fulfillment of the American ideal in our multi-ethnic society requires the complete implementation of the concept of integrated public education with students of all races, economic levels, and cultures equally attending "common schools" where all have similar opportunity for maximum self-fulfillment and for learning to live together creatively and constructively as fellow citizens in a free and democratic world.

The Connecticut Education Association is committed to the positive protection and promotion of human and civil rights for all children, youth, and adults, and to the elimination and prevention of racism and discriminatory attitudes and practices based upon race, color, creed, religion, national origin, ancestry, age, or sex.

Through the CEA, the education profession in Connecticut has the opportunity and the responsibility of seeking both by precept and by practice to make increasingly real that true brotherhood which each one shares as a member of the family of man.

Toward these ends, the Connecticut Education Association supports the following specific goals and recommends continuing, appropriate action to further their effective implementation:

1. The establishment and maintenance by each CEA local affiliate of an action-oriented human relations committee, with student and community participation. . . .

2. The elimination of racial imbalance and defacto segregation, and the attainment of complete integration and balance among white and non-white pupils and staff, in all schools within each school district in the state. . . .

3. The incorporation in the preservice preparation of all teachers and administrators of appropriate multi-ethnic materials, especially as related to minority groups, and of intensive training in intergroup human relations.

4. The development, with the direct involvement of local education associations, of in-service programs dealing with minority groups and human relations, including workshops, institutes, released-time projects, and in particular—full credit courses within the local school system, for all staff members.

5. The active recruitment and employment of certified and qualified members of minority

groups for all school staffs, at all levels, with particular emphasis on administrative and guidance personnel.

6. The development and utilization at all levels of multi-ethnic curriculum materials and textbooks stressing and integrating minority contributions, and including courses in human relations concentrating on student attitudes and intergroup relationships. . . .

Section 2
RESPONSIBLE LEADER BEHAVIOR: SOME QUESTIONS

Human Rights Leadership in Education

Many persons believe the quality of education is directly proportional to the level of leadership provided by those in chief administrative positions.

Unfortunately, a major burden which education bears all over this nation is the presence of many administrators who do not provide the stimulation and direction necessary to move their schools sharply toward the achievement of their goals. It is the moral responsibility of leadership to help provide the insight and understanding which will cause people to recognize and face the basic issues and problems in education which cry for solution. The need for such leadership lies in all facets of our society, but since the school is the basic institution responsible for the preservation of the moral and political values cherished by this society, it cannot escape this obligation.

Despite the increasing number of public school superintendents and principals who are effectively providing leadership in the schools they administer, there is no doubt that inadequate leadership still plagues much of public education in America.

The following questions accent the need for improved leadership:

1. Why do many school administrators provide leadership which is often offensively authoritarian?

2. Why have many school administrators insisted that teachers have little right to be involved in the school's decision-making processes?

3. Why have many principals and superintendents insisted that teachers should not exercise many of the basic human rights enjoyed by other adults in this society?

4. Why have many school administrators insisted that students leave their basic human rights outside the school building as they enter into the programs of the school?

5. Why have many school administrators resisted attempts of teachers and other educators to develop processes of professional or collective negotiations on matters relating to teacher welfare and the quality of educational programs?

6. Why do many school administrators insist on the maintenance of rules and regulations governing student and teacher behavior long after court decisions have ruled these practices to be questionable or in violation of basic human rights?

7. Why do some administrators still feel that the school bears no responsibility to meaningfully involve faculty and students in the decision-making activities of the institution?

8. Why have so many school administrators and teachers actively opposed or inhibited the process of school desegregation and integration both before and after the passage of the Civil Rights Act of 1964?

Some Possible Answers

These behaviors may be in part due to:

a. The expectation of many laymen and parents that this behavior is appropriate.

b. The attitudes and behaviors of local boards of education.

c. The administrator's own socioeconomic, family, educational, and societal background.

d. The inadequacies of a college education which frequently failed to emphasize the value basis for leadership in a democratic society and the importance of a deep commitment to democratic processes and the human rights central to them.

e. The lack of certain skills essential to the operation of democratic processes in the school.

Some Important Program Goals

Within the framework of the value structure and human rights identified in the Phi Delta Kappa statement, the educational leader must perceive his chief role as releasing the abilities and potentialities of the professional educators with whom he works, so that the properly determined objectives of the school may be achieved. In fact, a logical basis on which to evaluate the quality of leadership in any school lies in the degree to which this function is effectively discharged.

Problems concerning human rights develop in virtually every institution and/or community when conflict or tension exists. It is up to the administrator to make possible the intelligent dialogue that must precede attempted solutions to these problems.

The effectiveness of school superintendents and principals will depend in large measure on the rapport they can develop with those for whom they provide leadership. Skill in communication and group processes, a thorough understanding of human need and motivation, and a commitment to the basic moral and political values and human rights of this society are elements which all too often are missing from the preparatory programs of those who administer the schools.

Section 3
HUMAN RIGHTS: RESPONSIBLE LEADER BEHAVIOR

The School Administrator Who Exercises Responsible Leadership for Human Rights Acts in These Ways. He:

1. Uses language that expresses respect for the worth and dignity of others.
2. Challenges others who deny the rights of any individual or group.
3. Exercises his own rights without infringing or denying the rights of others.
4. Works actively with and through organizations, to secure the rights of others.
5. Exercises the franchise and encourages the students and faculty to do so.
6. Engages in friendship activities with others different from himself.
7. Creates a school climate within which democratic processes are encouraged, used, supported, and developed.
8. Realizes that his attitudes and behavior set the tone and climate for both faculty and students in the school.
9. Realizes that his attitudes and behaviors can influence community acceptance for improvement and change in the school and community.
10. Establishes the machinery which permits the processes of democracy to function in the school.

The Responsible Administrator Becomes Involved

Because he believes that all who are affected have the right to participate in making policies, he arranges for the participation of faculty, students, and administrators in this function. Moreover, he encourages and makes provision for both students and faculty to have access to him for dialogue on any problem.

Because he believes that students and faculty should be encouraged to exercise their rights, he receives petitions in which the signers, on the basis of real or perceived injustices, demand changes in policies or practices, and he exercises leadership to facilitate the needed changes if defensible.

Because he believes in the right of due process, he arranges for the accused teacher, employee, or student to face his accusers and to defend himself with legal advice and assistance if necessary, and he enforces the democratic tenet that a person is presumed innocent until proven guilty.

Because he believes in equal employment opportunity, he works with other administrators, the board of education, and faculty committees to recruit and employ in accordance with fair and equitable considerations regarding race, sex, religion, or ethnic origin.

Because he believes that students have the right to know the truth, he encourages all students to read extensively and to hear speakers, invited by responsible committees, who will present both or all sides of controversial issues.

He encourages teachers to provide opportunities for students to study issues and problems that are controversial and recommends policies to the board of education which protect teachers as they exercise academic freedom.

Because he believes in freedom of and from religion, he uses his influence to obtain school policies which prohibit the holding of religious exercises or activities in the school.

Because he believes in the right of every child to equal educational opportunity, which, according to the Supreme Court Decision of 1954, cannot be provided in segregated situations, he actively promotes desegregation in education, recruits faculty and students to achieve a reasonable racial balance, and helps to establish integrated activities and classrooms throughout the institution.

The responsible administrator creates a healthy psychological climate in which members of the instructional staff feel free and secure enough to undertake a program of rights and responsibilities education.

He, or the members of his administrative staff, are accessible to the professional staff, to the paraprofessionals, to the students, and to the parents for full and free discussion of all problems and issues.

Constituents come to know the attitudes, values, and priorities that dominate the decision-making process. They also become aware of the administrator's willingness and ability to tolerate different patterns of values, attitudes, and viewpoints.

He sets up regularly scheduled meetings to determine policies and practices, not just to announce them, and in these meetings demonstrates how lead discussion, mediate, compromise, negotiate, and defer to early closure in the interest of reaching a reasonable agreement. This enables the instructional personnel involved in these sessions to feel free and secure enough to use and to help their students to develop the same kind of skills.

When a faculty has reached agreement regarding the changes to be made in policies and/or practices which affect the institution, the responsible administrator provides for a public announcement explaining the conditions and decisions on which the changes are based, and how those decisions were reached. This is done effectively in open meetings at which questions are encouraged and expressions of dissent are heard, but at which time no doubts are left concerning how the decisions are to be implemented with the full support of the administration. Distribution of clearly written statements of the policies and practices helps to ensure freedom and security in the institution.

When classroom personnel lose their fears of harsh criticism, reprisal, and repudiation, they find it possible and advantageous to discuss with administrators their desires and plans to depart from traditional course content and methods of instruction.

When instructional personnel inevitably make some mistakes in their efforts to change curriculum and/or methods and find that administrators are understanding, supportive, and able to regard mistakes as learning experiences, they feel increasingly secure and free to meet the changing needs of students in our rapidly changing society.

Teachers, Too, Share in the Leadership Role

A major problem in American colleges and public schools appears to be the established no-

tion that all or most leadership in education must come from those who have status or power positions in the schools. For too long, hundreds of thousands of teachers have felt that leadership should emanate from these positions and that they as individuals had little or no responsibility for the directions and the decisions taken in their schools. Deeply entrenched, also, is the belief that organizations or groups of teachers have little responsibility for human rights, though the past decade has seen teacher organizations take long strides in accepting the challenge of leadership in the state and nation. Unfortunately, positive actions have occurred much less frequently locally and in specific schools.

Challenging leadership can come from individual teachers and groups of teachers in our schools, but the status leadership in the school can create conditions which either encourage or inhibit the emergence of such leadership.

Teachers must never forget, however, that their responsibility for acquiring their own rights and assuming leadership responsibilities in education never gives them the right to hamstring educational progress and needed change, nor does it give them the right to deny to students the full enjoyment of their basic human rights, both inside and outside the school setting. The school setting can never adequately reflect human values and rights unless the teacher, the student, and the school administrator all enjoy and responsibly exercise their basic human rights.

Section 4
HUMAN RIGHTS: OBSTACLES THE SCHOOL ADMINISTRATOR MUST OVERCOME

Effective and energetic leadership by the chief administrator may well be viewed as the life-support system for any effective school program. The success of that leadership can in part be measured by the degree to which the administrator has recognized and overcome challenging obstacles. Some of these obstacles are identified below:

1. Probably the most devastating barrier to any change in schools is a complacency which grows out of a feeling of satisfaction with the status quo—apathy of both teachers and administrators.

2. The administrator often finds it hard to overcome the highly authoritarian traditions of school organization, administration, and control. The hierarchy of control and authority from the board of education and the superintendent is deeply entrenched in many schools.

3. Many schools have not been organized and administered according to the precepts of American democracy. In other words, they have generally felt little obligation to practice the democracy they preach.

4. The community has been accustomed to evaluating the administrator on his ability to "keep the lid on." Therefore, how will it react to an administrator whose actions are based on a concern for the resolution of critical problems which need attention when the expedient thing is to do nothing?

5. Teachers who have been accustomed to line and staff concepts of administration and who have no involvement in decision making may view democratic leadership with a lack of enthusiasm.

6. The racial, religious, ethnic, and socioeconomic diversities in this society, along with widespread prejudice and discrimination, are handicaps in developing schools which reflect a real concern for human rights.

7. When an administrator lacks insight into the difficulties which ethnic, religious, and physical uniqueness may cause others, he often sees no need for change. The problem of "we have no problems" is often the greatest problem of all.

8. Once committed to the concept of human dignity for all, the administrator faces the challenging task of implementing democratic processes which foster and respect that concept. Zeal and commitment are no substitute for the skills needed to make democratic processes operational in the school. These skills can be developed.

9. Since the success of the democratic process depends on decision making by well informed participants, the administrator not only must be a skilled communicator but also must be effective in utilizing group processes. The community relies on him to assess educational needs and to suggest the processes through which those needs can be satisfied. It has a right to play an active role in making that assessment and it is increasingly important that administrators be an effective group leader.

10. The administrator who has a crisis orientation to management will obviously find democratic processes more confounding than helpful. Sharing the decision-making responsibilities requires foresight and planning. Future needs must be anticipated and assessed so that there is ample opportunity for patrons, students, and staff to be involved in many school decisions.

11. The administrator is too often insensitive to the psychological and other needs of people. He must be capable of recognizing and analyzing the sources of potential conflict. Conflict resolution is a high priority item now in virtually all school districts.

12. Teachers and administrators know that others in similar positions have lost their jobs, suffered demotion, or have been overlooked when it is time for promotions, raises in salary, or status assignments, just because they engaged in political action or took sides on controversial issues or problems. If action is tempered with sound judgment, however, most administrators and teachers can make effective progress even when some of these threats appear to be present.

13. Many schools still appear to place low value on the dignity and worth of each individual teacher, student, or layman, and the human relations and citizenship purposes of education often have low priority. Perhaps the most encouraging note is that the administrator is no longer alone in fighting for these goals. The courts have expressed significant interest in the protection of human rights in the public schools, and similar interest has been responsible for the progressive advancements made in the employment and management practices of government and private industry.

PART III

WORKING WITH THE FACULTY AND STAFF

Section 1— How Teachers and Administrators Can Improve Their Competency to Deal with Human Rights Through Workshops, Seminars, and Group Study

Section 2 — Approaches for Content and Discussion

Section 3 — Suggested Outline of Objectives, Content and Activities for a One- or Two-Week Workshop

Section 4 — A Guide for Workshop Discussion

1) Why People Behave as They Do With Respect to Human Rights
2) Obstacles for Which Teachers of Human Rights Should be Prepared
3) Skills for Implementation: Group Process, Communication and Cooperative Planning

Section 5 — Two Examples of Workshop Formats

Section 1
HOW TEACHERS AND ADMINISTRATORS CAN IMPROVE THEIR COMPETENCY TO DEAL WITH HUMAN RIGHTS THROUGH WORKSHOPS, SEMINARS, AND GROUP STUDY

There Is a Need

Education for human rights will largely succeed or fail to the extent that teachers are prepared for this task.

Although some conferences, seminars, and workshops on human relations have been available for the past 20 or 30 years, large numbers of experienced and new public school teachers have little background in the theory, philosophy, and practice of human relations and human rights.

The problem of implementing the intent of the Civil Rights Act of 1964 and the Brown decision of the Supreme Court a decade earlier accented the obligation of the public schools to provide an equality of educational opportunity for black students and other students belonging to minority groups. Accommodating the public schools to the needs of these students has indeed been a task for which thousands of teachers and administrators were ill-equipped.

Since most public school educators at the preservice level had little opportunity to study human relations and human rights and their implications for effective teaching and curricular efforts, it is apparent that a major task for local school districts is the planning and implementation of inservice programs designed to bridge this gap so commonly found in the preparation of teachers. The general objectives of these inservice study groups or workshops are:

1. To provide learning experiences through which teachers and administrators will get information about the exercise and denial of human rights in American life and in American schools.

2. To develop attitudes and behaviors which will help educators deal more effectively with these rights in relationship to real school problems and practices.

The task is to involve school administrators and teachers in these activities so that they will become committed to implementing democratic values, principles, and practices in their daily lives and work.

Without this commitment, they may continue to omit necessary information from pertinent courses, infringe upon the rights of students and parents, and fail to develop in the general school population the understanding and skills needed for effective living at a time when American democracy is constantly being challenged.

Effective teaching of how to live in a pluralistic democracy, in which implementation of human rights is essential, requires the habit of inquiry into the values out of which the theory and practice of the rights of man evolved. To be adequately equipped for public school work, teachers must know what these values are and understand how people use them as directives in making decisions about how to behave. They must also examine their own values and behavior patterns with respect to human rights.

Section 2
APPROACHES FOR CONTENT AND DISCUSSION

To be effective, inservice work with teachers must be rooted in practical experience and in the values and thought processes of the ordinary adult as well as those of students and their parents. Experience shows the following approaches to be helpful.

The Experience Approach—Tell it like it is. Teachers describe past and present personal experiences in which their rights have been denied or situations in which a value conflict arose over whose rights were to be allowed.

Teachers describe what is presently happening to pupils in their classrooms or school regarding human/civil rights.

The Discussion of Attitudes Approach—Teachers talk about how they feel about democracy in the school; about civil rights demonstrations; about minority groups; about students' demands for their rights; about how they perceive their role in teaching values and rights; about teacher militancy in pursuing teacher rights.

The Let's Get the Facts Approach—Frequently repeated statements made by people in all walks of life in all parts of the country can be examined and discussed in depth. Among these are:

"A person has to raise himself by his own bootstraps."
"Anyone who wants to can find a job."
"People ought not to try to live where they aren't wanted."
"A family on welfare ought not to have TV."
"Too much education isn't good for some people."
"It would be better to train 'them' to work with their hands."
"Children should be seen and not heard."
"The teacher should paddle pupils who need it because they are in loco parentis."
"Lower class people have different values and the school ought not to try to change them."
"The school should teach children middle class values—isn't that what America is all about?"
"Blacks have less intelligence than whites."
"The public school shouldn't be asked to teach some kids."
"What will I do if 'they' move in next door?"
"Would I let my daughter marry one?"
"Shouldn't 'they' have to earn their rights?"
"Why should I pay taxes to support 'them'?"
"Wouldn't 'they' be better off with their own kind?"
"If 'they' won't do what the teacher says, let 'em leave."
"Why shouldn't 'they' smoke and drink and 'trip' if they want to?"
"I don't think sandals, blue jeans, long hair, beads, beards, and mini-skirts ought to be allowed in school."
"Why don't 'they' go back where they came from?"

Classroom teachers can observe what happens to pupils with respect to their human rights during the course of the day—in classrooms, corridors, cafeterias, and play areas. Observation of denial of rights by institutional procedures, by teachers, or by peers can then be described and discussed in faculty meetings. At the next faculty meeting, the discussion leader can assist the faculty to identify conditions and practices that need to be changed. When the group arrives at a consensus about something on which to begin, he can assist them in making a plan for action.

Eventually this kind of ongoing inservice education should lead to revision of such courses as civics, government, American history, social problems, problems of democracy, and courses in the English language arts area, including the development of mini-courses.

The methodology used in classroom instruction may also need to be changed so that pupils may experience the rights teachers talk about. Basic general education courses like American history and required English courses need to include opportunity for the study of human rights, moral and political values, and the contributions of minority groups to American civilization, so all students can have these experiences.

Section 3
SUGGESTED OUTLINE OF OBJECTIVES, CONTENT AND ACTIVITIES FOR A ONE- OR TWO-WEEK WORKSHOP

Objectives

1. To develop a clear perception of human rights and the value systems on which human rights are based.

2. To develop an awareness of the implications of human rights for the total democratic society, the community, the public school, and the student.

3. To develop an awareness of the legality of student rights in the public school.

4. To develop an awareness of the curriculum and experience needs of students if they are to share productively in the democratic process.

5. To develop an awareness of practices that promote or violate human rights of groups or individuals at both the administrative and classroom level.

6. To develop materials and resources for teaching and exercising human rights.

7. To develop skills in evaluating institutional and individual behaviors as they relate to human rights.

8. To develop skills in focusing on basic values when dealing with conflicts of rights.

9. To change attitudes and behaviors in a positive direction.

Information to Be Covered

1. The nature of human rights.

2. The basic values fundamental to a democratic society.

3. The human rights implied by these values.

4. Responsibilities associated with the exercise of these rights.

5. The implication of values and rights for the democratic process.

6. Conflicts between rights and how to resolve them.

7. The positive value of human differences.

8. The nature and causes of student unrest and protest in public schools.

9. The nature and causes of societal unrest and protest.

10. The predicament of the individual if basic human rights are denied by the group or majority.

11. The predicament of the minority group if basic human rights are denied.

12. Some ways rights are frequently denied the individual and the minority group in the larger society.

13. How people act out their preferences, biases, and the complex of negative attitudes called prejudice in the individual's frame of reference.

14. The human rights implications of stereotyping, segregation, grouping, and racism.

15. The nature of institutionalized racism and how it adversely affects minority and individual rights.

16. The legal aspects of student and teacher rights.

17. Public school institutional behaviors that frequently violate specific student and teacher rights.

18. Public school institutional behaviors that tend to support specific human rights and democratic values.

19. Teacher behaviors that violate specific student rights.

20. Teacher behaviors that protect specific human rights and democratic values.

21. Community sanctions which threaten proper emphasis on human rights in the school.

22. Alternatives available to participants when actions threaten proper emphasis on human rights.

23. Ways of working with community groups in advancing concern for human rights.

Skills To Be Developed

Skill in:

1. Evaluating school behaviors which limit and/or enhance specific human rights.

2. Evaluating personal behavior which limits and/or enhances specific human rights.

3. Recognizing and stating specifically the relationships between values, rights, and the democratic processes.

4. Recognizing and resolving conflicts between values and between rights.

5. Examining one's own value system in light of the basic values fundamental to a democratic society.

6. Recognizing forms of discrimination, prejudice, and racism.

7. Recognizing inconsistencies between words and deeds.

8. Identifying and recognizing the school's role in preparing students for a democratic society.

9. Distinguishing between fact and myth, fact and opinion, fact and rumor, fact and propaganda.

10. Stating clearly and specifically the meaning of equal educational opportunity and the implications of human rights in its attainment.

11. Handling controversial issues.

12. Maximizing the positive values of human differences.

13. Divising curriculum to accomplish objectives of human rights.

14. Operating within a framework that permits individual freedom without jeopardizing the rights of others.

15. Identifying and using experiences and resources which provide for enlarged student comprehension of the meaning and implications of human rights.

16. Providing inservice leadership in the area of human rights in the local school.

17. Involving students in the establishment of course objectives and activities.

18. Providing alternatives as a base for democratic action, examining consequence, accepting responsibilities.

19. Determining priorities for instruction.

Activities To Use

1. Relate examples of rights violations in your experience. What values were involved?

2. Give examples showing a conflict between rights. Discuss possible ways of deciding priorities.

3. Analyze your own community for evidences of violations of rights, or, conversely, evidences of rights being protected.

4. Show films, such as *Encounter, Black-White Uptight, High School.* Other films are suggested in the bibliography of this guide.

5. Use role-playing which casts participants in minority roles or in positions of experiencing violation of rights.

6. Read and discuss case studies (concrete instances) involving human rights. See illustrative case studies in this guide.

7. Interview someone to ascertain his views on a particular "rights" situation or possible encounter.

8. Analyze an interview or speech for any indications of racism, and distinguish between fact and propaganda.

9. Consult one or more of the articles listed in the bibliography of this guide. Report and discuss in the group.

10. Prepare a case study of your own involving human rights in practice.

11. Make arrangements for a speaker to discuss the legal implications of human rights within the school.

12. Review an American history textbook to identify omissions about minority groups or for evidence of racial or religious bias.

13. Make a collection of songs, poems, stories relative to the exercise of denial or rights.

14. Collect and analyze news articles dealing with student unrest or conflict.

15. Collect and analyze news articles dealing with court cases where the issue is a human right.

Behavioral Outcomes To Expect

1. Ability to identify at least two basic values of a democratic society and the human rights implied by these values.

2. Ability to develop a clear, concise statement showing the relationship of human rights to the democratic process.

3. Ability to identify, from appropriate case studies, specific human rights that have been violated.

4. Ability to analyze and state the conclusion of a legal opinion dealing with each of these two student rights: rights of privacy and freedom of speech.

5. Ability to list a minimum of five resources dealing with human rights in education.

6. Ability to plan and implement with students exercises or experiences which convey the concept of human rights and its essentiality to the democratic process.

7. Ability to identify discriminatory practices or privileges which violate the right of an individual or group.

8. Ability to evaluate one's own school or department in terms of its commitment to or violation of human rights.

9. Ability to evaluate one's own behavior in terms of commitment to or violation of human rights.

10. Ability to recognize legitimatized authority and its proper exercise in relationship to a concern for human rights.

11. Ability to identify abuses of power and authority which constitute threats to democratic values and human rights.

Section 4
A GUIDE FOR WORKSHOP DISCUSSION

Why People Behave As They Do with Respect to Human Rights

All behavior is caused. Sometimes the causes lie in past or present experiences. Feelings, emotions, and attitudes cause behavior. A person's values usually determine how he will behave in situations involving conflicts of values and rights and the choice of alternatives. The following is an attempt to discover some of the reasons students behave as they do in connection with human rights. Teachers should examine their own behaviors and practices as they attempt to understand student behavior.

Students who have not yet "found their identity," who are still more or less immature, behave in ways generally characteristic of adolescents rather than adults. This may include refusal or denial of responsibility.

Students who are not yet emotionally mature exhibit more ego-centered patterns of behavior. When confronted with value and/or rights conflicts, they are likely to act in their own interests without regard for the rights of others.

Students who have not had sufficiently wide experiences and do not have skill in analytical thinking may not see the consequences of behaviors. When their actions are illegal or harmful to others or destructive of property they tend to demand amnesty.

White students who have been brought up in a racist society tend to believe they are inherently better than non-whites. As a result they look down on others, ignore them in class and in school, treat them with disrespect, and exclude them from school organizations.

Students who believe in their right to freedom of speech may exercise that right irresponsibly, using rhetoric, profanity, and obscenity, without regard for good taste, appropriateness, or the sensibilities of others.

Students who are not clear about what to do in situations involving conflict of rights often act only in terms of their own rights. They shout down speakers, denying them the right to speak and to be heard. They abuse, physically and verbally, those who exercise their right to be different.

Black students who have been raised to distrust white people tend to separate themselves from whites in classrooms and social activities.

Students who have been raised in situations requiring conformity, for fear of offending or reprisal, often tend not to exercise their rights to dissent, to be different, to speak out. They remain passive in classrooms.

Students who take seriously their democratic right to participate in determining policies and practices that affect them, may express resentment about rules that require them to take courses they deem irrelevant to their present and future lives.

Students who believe they have the right to be different, when confronted with restrictive dress codes, may become more extreme in their own costumes and hair styles, and demand the right to participate in revising those rules and regulations or in deciding to abolish them.

Students who have become aware of the credibility gaps in government and of the discrepancies between word and deed in the behavior of teachers, administrators, and other officials and leaders in the community, tend to repudiate democracy and many of our democratic values.

Obstacles for Which Teachers of Human Rights Should Be Prepared

Teachers of human rights should expect to encounter the following obstacles to successful human rights.

1. Apathy, the lack of feeling of real need for additional attention to the area of human rights in education.

2. Individual reluctance to become involved or to show commitment, based on the fear that this might be socially unpopular.

3. The prevalence of a conservative point of view, the feeling that undue emphasis on human rights might put other rights in jeopardy, such as the property right and the right to freedom of association.

4. The essentially authoritarian tradition of organizing and administering educational institutions.

5. The hostility of entrenched administrative or controlling interests to change. (Don't upset the apple cart.)

6. Imagined or real pressure on individual staff members not to express differing viewpoints, for fear that this might interfere with advancement or promotion in the institution.

7. School demands for conformity, arbitrary rules, curricular and degree requirements, and the system of grades and credits.

8. Procedural intricacies which stand in the way of orderly change. (administrative regulations as well as obsolete faculty committees and controls)

9. Undesirable influence of the board of education.

10. Discouragement which accompanies long-continued efforts to bring about reform in the absence of encouragement and stimulation from school leadership.

Other Factors Which Hinder the Implementation of Human Rights in the Classroom

1. Teacher lack of awareness regarding their own prejudices and discriminatory practices.

2. Lack of a well-defined role concept by teachers in the affective learning area.

3. Preoccupation with the fear of losing control of students.

4. Insufficient knowledge of human rights.

5. Fear of legal actions.

6. Personal upbringing and their personal frame of reference.

7. Fear of superior officers and/or parents.

8. Emotional and/or mental unpreparedness to cope with the issues of student rights.

9. Insufficient skills, particularly in the areas of self-analysis, conflict resolution, group process, communication, and the structuring of learning activities.

10. Lack of understanding of what is meant by "academic standards."

11. Misunderstanding of the phrase "equal educational opportunity."

12. Perceived attitudes of administrators or community.

Skills for Implementation: Group Process, Communication, and Cooperative Planning

Effective participation in a society built upon democratic tradition and dedicated to the American way requires the possession of skills needed to use democratic processes.

Before these skills can be developed in students, it is apparent that teachers and principals must demonstrate some proficiency in them. Thus, much attention must be devoted to these skills in the inservice activities planned and carried on by the faculty.

Group Processes

The term "group dynamics" denotes the study and functioning of groups with special reference to the "small group." This term is often used in education to indicate the methods by which faculty and students learn about democratic processes through experience with

them. The objective is to enable a number of different individuals to function effectively in a group and thus to accomplish more than any one of them could accomplish by himself.

The first step is the identification of common problems and the determination of common goals. The group then decides the best ways to solve the problems and to reach the goals. Responsibility for work is allocated and accepted by members of the group. As they work together, individuals may come to like and to respect each other, and such differences as race, religion, and ethnic origin often cease to be reasons for rejection.

Utilizing group processes to improve classroom instruction is a skill many teachers have found invaluable.

Communication

Discussion and effectiveness in communication are integral parts of the democratic process. Effective communication requires specific skills. For example, the leader must know how to establish ground rules with the help of the group, and how to enforce them so that everyone has the right to hear and to be heard. He must also know how to curb the dominator, to encourage the timid, to limit the speech maker, to prevent the distractor from engaging in side conversations, and to keep the discussion to the point; how and when to summarize; and how and when to bring a secure agreement. In truly democratic discussion groups, conversation flows from one participant to another without going through the leader. Moreover, the leadership role itself may move around the group.

A process well understood and used in a democratic situation is voting, the process by which officers are elected and some decisions are finalized. Students need to learn that though this process determines the majority's opinion and wishes, there must also be provision for the minority to express dissent.

Cooperative Planning

Cooperative planning is one way of giving students experience in democratic processes. When students and teachers who have different experiences, backgrounds, needs, interests, and points of view attempt to plan and work together, conflicts of rights and values are bound to arise. Such situations provide opportunities to learn and practice the processes of conflict resolution, negotiation, mediation, and compromise.

Democracy benefits from the evaluation of leaders, processes, and products. It is best when done jointly, continuously, and constructively. Guiding questions are: What did we do well, what poorly? Where were we weak, where strong? Did we select leaders wisely and assist them to do their jobs? Did they do what we elected them for? Were our products good enough? Did we reach our goals? In the light of strength, weakness, and achievement, where do we go from here?

Schools need leaders and teachers who are committed to and skilled in using democratic processes. With such skill and commitments they can fulfill their responsibilities for making whatever changes are necessary if staff and students are to be involved in decision making about the policies, organization, and control of the institutions in which they work and study.

The survival of democracy will rest in part on the skill and determination with which educators live and work in the democratic way, and upon how well they inspire and equip the next generation to become committed citizens, able to function effectively in this society.

Section 5
TWO EXAMPLES OF WORKSHOP FORMATS

The following two examples of inservice workshop formats were developed and used successfully by schools which participated in the Phi Delta Kappa Project for Improving Teacher Education in Human Rights.

Example A

Five-Day Workshop on Human Rights—For Teachers and School Administrators

Monday —Registration
Minority Ethnic Groups in Northwest Oklahoma
Teacher Education and Human Rights: A Conceptual Framework

Tuesday —Racism and Sexism in American Culture
Students' Rights in the Classroom

Wednesday —Policies and Practices in Public Schools Which Indicate a Commitment to Human Rights
Policies and Practices in Churches Which Indicate a Commitment to Human Rights

Thursday —Constitutional Basis for Human Rights of Students on Trial (judge, counselors, and jury)
Foreman Reports Jury Findings
Comments on Students' Rights and the Law

Friday —Human Rights in Public Schools
Student-Faculty Governance: A Program in Human Rights

Example B

Five-Day Workshop on Human Relations and Human Rights—For Teachers and School Administrators

Monday —Registration
Institutional Racism in Public Education
Questions and Answers—Large Group Reaction
Orientation to Workshop Resource Materials and Division of Participants for Succeeding Small Group Activities

Tuesday —Historical and Philosophical Foundations of Human Rights in American Education
Questions and Answers—Large Group Reaction
Small Group Seminars
Student, Teacher, and Institutional Behaviors Which Violate Desired Human Relations and Basic Human Rights
Questions and Answers—Large Group Reaction
Small Group Seminars

Wednesday —Humanizing the Educational Process
Questions and Answers—Large Group Reaction
Small Group Seminars
Promoting Equal Educational Opportunities: The Adair County Teacher Training Program—Title IV Grant

Thursday —Communication: The Key to Effective Human Interaction
Questions and Answers—Large Group Reaction
General Session Activities in Communication
Small Group Activities

Friday —Small Group Seminars
Education and Human Rights: A Conceptual Framework
Questions and Answers—Large Group Reaction
Adjournment

PART IV

SCHOOL AND INDIVIDUAL PRACTICES IN HUMAN RIGHTS

Section 1 — How To Use This Part of the Guide

Section 2 — A Method of Identifying School and Individual Practices in Relation to Each Major Human Right

Section 3 — Specific Check Lists for Describing the Human Rights Behaviors of

a. The Principal

b. The Teacher

c. The Student

Section 4 — A Check List for Identifying Teaching Competencies Relating to the Human Rights Field

Section 5 — Cases Which Illustrate Violations of Human Rights

Section 1
HOW TO USE THIS PART OF THE GUIDE

Part IV of this guide is potentially one of the most useful portions of the publication in the sense that implementation of human rights and human relations theory in practice is the most difficult task which educators face. Verbalizing the philosophical basis for human rights in the schools is not enough.

This section, therefore, identifies precise individual and school practices which are implied by each right dealt with, and provides other information which should be helpful to any school faculty as it attempts to improve its educational program in the area of human rights and human relations.

The following suggestions may be helpful in using the materials in the other sections of Part IV:

1. Become thoroughly familiar with the constitutional aspects of each right along with at least one or two court interpretations.

2. Study carefully the specific behaviors and practices identified with each right at the public school level.

3. Engage fellow teachers and administrators in discussion on the relevancy of the practices and behaviors identified.

4. Challenge colleagues to agree or disagree with suggested practices and to defend their own positions.

5. Organize a committee composed of teachers, administrators, and students to use sections 2 and 3 to evaluate human rights, practices, and behaviors in your own school.

6. Encourage teachers and administrators to observe and identify school and individual practices which exemplify the right and those which may violate it.

7. Consider carefully the degree to which basic human rights identified herein conflict not only with each other but also with values on which many people place high priority. The statement below provides a rationale for the possible understanding of these basic conflicts:

Educators must fully realize that the major problems and issues which divide segments of this society hinge around conflicts between individuals and groups in the priority placed on certain values and rights. For example, it has been possible in this country for millions of persons belonging to minority groups to be denied justice, due process, equal opportunity in education, housing, employment, and other human rights simply because a majority of other people in various places were unwilling to concede that members of minority groups had worth and dignity as individual persons.

The exercise of a human right by one individual at a given time and place may serve as a real threat to the enjoyment of another human right by another person or may constitute a menace to the security or well-being of a group. The governments instituted by man in this nation have the dual responsibility to protect the legitimate rights of all individuals and at the same time ensure that the welfare and rights of the mass of individuals or groups be safeguarded.

Provisions are consistently established in law regarding the limitations or restrictions relating to the exercise of commonly recognized human rights. We must constantly check these provisions to be sure that they are defensible restrictions. The law likewise established restraints on the manner in which those who enforce laws may function in order that individual rights may be protected from abuses by established government agencies.

Section 2
A METHOD OF IDENTIFYING SCHOOL AND INDIVIDUAL PRACTICES IN RELATION TO EACH MAJOR HUMAN RIGHT

What must schools do to educate young people for the dedicated support of human rights in our society? What specific individual and school practices are recommended?

In this section each right is dealt with separately for better understanding. First, the language of the constitution dealing with the right is given. Then a brief, clarifying statement is provided. This is followed by an outline of the specific practices that should be present if the school or educator has a commitment to the right in question. References to applicable court decisions are then given, followed by a brief summarizing statement.

The Right of Equality of Opportunity

"We hold these truths to be self-evident, that all men are created equal. . . .

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

If the importance and dignity of each individual are to be recognized, then each person must have an equal opportunity to develop his potential qualities and talents without regard to his background. Fundamental to the achievement of equality of opportunity in today's complex society is equality of educational opportunity.

The major inadequacy in American public education is without doubt the failure of the system to provide equal access for all pupils to educational programs at the elementary and secondary levels suitable to their educational needs and abilities. Most shortcomings in educational programs center on this inadequacy, and many existing conditions contribute to this situation.

Practices Which Exemplify Commitment to the Right of Equality of Opportunity:

YES	NO

1. There are no fees for admission or participation in any school course or activity.
2. Organized groups and activities which perpetuate doctrines of religious, social, and racial discrimination are prohibited.
3. Effective efforts are made to increase minority group participation in activities.
4. All students are welcomed and made to feel a part of the school. Special efforts are made to achieve true integration and to serve the needs of disadvantaged and/or minority group students.
5. Teachers and school administrators behave in a manner consistent with the concept of equality of opportunity and the democratic process.
6. Students are evaluated on the basis of multiple criteria indicating a concern for the total growth of the student.
7. Academic performance on standardized or other tests is regarded as only one of the many evidences of appropriate total educational growth and student achievement.
8. Organized efforts and planned inservice programs are carried on to develop faculty attitudes and behaviors aimed at the elimination of discrimination and prejudice toward students and others.

YES	NO

9. Courses are taught which provide all students with the opportunity to understand the basic human rights and values of this society and the roles and contributions of minority groups to American civilization.
10. Special programs and assistance are provided for slow learners and other special education students on the basis of their needs.

A Few Court Cases Which Apply to the Right of Equality of Opportunity

In *Brown v. Board of Education of Topeka,* 347 U.S. 483 (1954), racial classification as a basis for public school segregation was declared a violation of equal protection under the laws. The concept of "separate but equal" on the basis of race was disallowed.

In *Johnson v. Board of Education of the Borough of Paulsboro,* Civil Action No. 172-70 (D.C.N.J., April 14, 1970), a school district policy which prohibited students from participating in extracurricular activities solely on the basis of their marital and/or parental status was found in violation of the Fourteenth Amendment.

In *Ordway v. Hargraves,* 323 F. Suppl. 1155 (D. Mass. 1971), school authorities were ordered to readmit to regular attendance a pregnant, unmarried student.

The Supreme Court in *Lau v. Nichols,* 94 S. Ct. 786 (1974) found that non-English-speaking Chinese students were not provided the opportunity to participate effectively in the educational program because of the school district's failure to provide English language instruction. Relying on the Civil Rights Act of 1964, and subsequent HEW guidelines, the court pointed out, "There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum."

Summary

The courts have not dealt specifically with all aspects of equal opportunity discussed in this section. Neither have all the rulings endorsed the practices as outlined. However, it appears that the intent of many of the rulings, particularly the landmark cases, has been to move educators precisely toward such practices. *Brown v. Board of Education of Topeka,* of course, has forced school districts all over the nation to change completely their approach to equalizing educational opportunities.

The Rights of Freedom of Assembly, Association, and Petition

> "Congress shall make no law respecting . . . the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

These freedoms are basic in our society and are closely related to other firmly established rights, such as freedom of speech and religion, which imply the freedom to associate with persons of one's choosing to engage in discussion or activities surrounding ideas or beliefs held in common. The exercise of these rights is fundamental to the working of democracy because they provide the means for the will of the people to be felt against otherwise established authority.

In the educational community, individuals and groups should be afforded the opportunities necessary to enable them to assembly peaceably for: 1) the exchange of information, 2) the determination and expression of grievances, 3) the exercise of the right of petition for the redress of grievances, and 4) the benefits of freedom of association.

Practices Which Exemplify Commitment to the Rights of Freedom of Assembly, Association, and Petition:

YES	NO

1. The facilities of the institution are available to all faculty and student groups under conditions which do not discourage their orderly meeting together with adult sponsorship.

YES	NO	
		2. The freedom to assemble peaceably is accompanied by an acceptance of the obligation of those assembled to hear and to discuss whatever is pertinent to the purpose of the meeting and to hear such speakers as are invited, as long as the health and safety of those present and the community are clearly not threatened. The maturity level of students may necessitate some supervision.
		3. Students are free to organize groups or associations within the school for lawful purposes within the general framework of an open membership policy.
		4. The school makes no attempt to regulate or limit the activities of teachers or other staff members who engage in political activity or who voluntarily associate with legally constituted groups, organizations, or individuals. Faculty and students are not discriminated against because of such activity.
		5. Student organizations may have faculty advisors of their own choosing.
		6. Open forums are held to discuss issues and problems relevant to the improvement of education, the community, and society in general.
		7. The school, though interested in the overall welfare of its students, has no immediate jurisdiction over the nonschool activities of its students.

A Few Court Cases Which Apply to the Rights of Freedom of Assembly, Association, and Petition

The case of *Eisen v. Regents of the University of California,* 75 Cal. Reptr. 45 (1969) resulted in a court ruling which indicates that students have a right to form groups and associations which advocate unpopular beliefs and ideas. This was balanced by the institutional right to demand and to have registration and statements of purpose from the students.

In *Edwards v. South Carolina,* 372 U.S. 229 (1963) the Supreme Court reversed a state court conviction of high school and college students who were involved in an off-campus assembly and demonstration to protest against allegedly discriminatory practices.

In *Passel v. Fort Worth Independent School District,* 429 S.W. 2nd 917 (1968) and in *Robinson v. Sacramento City Unified School District,* 53 Cal. Rptr. 781 (1966), the courts ruled in favor of school district policies prohibiting the formation of secret societies within the public schools.

Summary

Courts have generally protected the rights of students to assembly peacefully and to form associations of their choosing—subject to reasonable regulations by college authorities. Judicial opinions strongly affirm that public school students do not surrender their citizenship rights upon entrance to the school. It seems reasonable to assume that protection of the rights of assembly and association with minimum restriction is extended to public school students.

The Right of Due Process and Equal Protection Under the Law

> "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The Civil Rights revolution of the 1960s, spearheaded by the Civil Rights Act of 1964 and subsequent amendments, resulted in the abolition of countless state and local legislative enactments designed to deprive persons, chiefly blacks, of civil and human rights guaranteed by the constitution. Due process and equal protection under the law are the major guarantors of justice in this democracy, but the search for full realization of these still goes on. Perhaps the words "without due process of law" are the most important words in the constitution.

A continuing struggle is taking place to change institutional and organizational practices which currently deny many people these rights. Much remains to be done to see that they are fully implemented.

Practices Which Exemplify Commitment to the Right of Due Process:

YES	NO	
		1. Regulations, rules, and policies regarding due process are clear and available in written form to all faculty members and students.
		2. The high school student council participates in important activities and matters in the school. According to their maturity level, students participate in developing rules and regulations.
		3. Faculty and students are presumed innocent until guilt is clearly established. They are permitted to face their accusers, to present witnesses, and to defend themselves—with counsel, if necessary.
		4. Lowering grades, denying credits, and delaying graduation as penalties are permissible only when there is clear evidence of dishonesty.
		5. Provision for hearings and the right of appeal characterize any serious penalty, such as suspension or expulsion.
		6. Teachers and other educators are dismissed or deprived of any professional advantage only after they have been given a fair hearing with established procedural safeguards. Nor are they so treated because they exercised their constitutional rights.
		7. Interrogation of students by police during the school day must be conducted only in the presence of the administrator and/or parent. Harassing or intimidating is not permitted.
		8. The exercise of authority by the school responds well to the test: Is it reasonable?

A Few Court Cases Which Apply to the Rights of Due Process and Equal Protection Under the Law

In *Dixon v. Alabama State Board of Education,* 294 F. 2nd 150 (1961), the court recognized the power of an institution to expel, but held that such power was not unlimited and that arbitrary application of such power could not be made. The court also issued some guidelines for notice and hearing required for due process.

In *Black Students of North Fort Myer Jr.-Sr. High School ex rel. Shoemaker v. Williams,* 317 F. Suppl. 1211 (M.D. Florida, Sept. 29, 1970), the court ruled that students who had been suspended after the principal observed them violating a school district policy were denied due process because they were not afforded a hearing. The court went on to state that "a suspension for ten days is a suspension for a substantial period of time" and is in violation of due process unless a hearing is held before the suspension.

The Supreme Court finally dealt specifically with the constitutional questions involved in suspensions of not more than ten days in *Goss et. al., v. Lopez et. al.,* 43 LW No. 73-898 (1975). The court affirmed that, even in the case of brief suspensions, students' property and liberty interests in education are protected by the due process clause of the 14th Amendment. The court clarified the requirements of due process, stating that notification of the grounds for dismissal and a hearing should precede suspension. In circumstances where prior notice and hearing is precluded because a student's presence endangers persons or properties or threatens disruption of the academic process, the notice and hearing should follow the suspension as soon as possible.

The Supreme Court also recently dealt with the issue of mandatory maternity leave for teachers in *Cleveland Board of Education v. La Fleur,* 94 S. Ct. 791 (1974). It was the opinion of the court that those policies which require a teacher to take such leave at a specified time in the pregnancy, without pay, and without regard to the teacher's physical fitness to perform teaching duties, are insupportable and a denial of the Fourteenth Amendment's guarantee of due process and equal protection of the law.

Summary

The courts have concerned themselves mainly with: what are the rules, how are they applied, is the rule reasonable, is the penalty reasonable, and not with those who decide the standards. The emphasis of the courts appears to be decidedly for procedural and substantive due process for students and teachers at all levels. Schools wishing to avoid litigation in these matters should establish defensible machinery to achieve this purpose. Recent decisions also indicate that the only basis for the dismissal of a teacher is conduct which adversely affects his capacity to perform school duties.

The Right to Privacy and Security of Person and Property

"No person shall be . . . deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

The right to security of person and property is basic to freedom as Americans define freedom. If the person is not held inviolate and if property rights are not maintained, then none of the other human rights can really exist. The right to security of person is closely akin to the right of privacy and protects the person from insult or injury by others. The property of an individual is also entitled to security and therefore is to be protected from theft, confiscation, or damage by others. The right of privacy is fundamentally the right to be let alone.

Practices Which Exemplify Commitment to the Right to Security of Person, Property, and Privacy:

YES	NO	
		1. Policies and regulations regarding search, seizure, personal records, and property are explicitly stated and published.
		2. Policies relating to student and personnel records reflect the most recent findings of the Supreme Court and outline procedures for their collection, classification, maintenance, safeguarding, and dissemination.
		3. The student or his property is subject to search or seizure only with his permission unless there is a valid search warrant or there is a clear reason to believe there is an immediate threat to the safety, health, or welfare of others.
		4. The confidentiality of personnel and student records is maintained at all times.
		5. Student-counselor communications and other personal information regarding students are privileged.
		6. Consent of school personnel and students is obtained before information contained in their school records is released, unless the release is by judicial decree or for legitimate educational interest.
		7. The anonymity of individual students is always protected when test scores, etc., are released to other students or to the public.
		8. Teachers and students have the right of privacy concerning out-of-school activities.
		9. The dress and appearance of faculty members are considered matters of personal choice and not regulated by codes or policies.

YES	NO	
		10. Regulations regarding student behavior in the school are developed by a process which meaningfully involves both students and faculty.
		11. Athletic coaches value the safety and well-being of student athletes more than winning games.
		12. Athletic coaches establish rules for participation in athletics which do not infringe unreasonably on the privacy of athletes.

Brief Summary of a Few Court Cases Which Apply to Right of Security of Person, Property, and Privacy

In *Overton v. Rieger,* 311 F. Supp. 1035 (1970), the federal court ruled that a high school administrator had the right to search a student's locker, and that evidence uncovered through the search was admissible in court.

In *Pickering v. Board of Education,* 391 U.S. 563 (1968) the Supreme Court upheld the right of a teacher to speak out on public issues without threat of loss of employment.

In *Van Allen v. McCleary,* 211 N.Y.S. 2d. 501 (1961), the court affirmed the right of a parent to inspect the records of his child.

Summary

Courts seem to have taken a more narrow view of students' rights to privacy and security from unlawful search and seizure when considered against the background of such landmark decisions as the one rendered in *Tinker.*

First of all, one court held that student lockers are property of the school, and that a student's right to exclusive use does not extend against the school. In another case, the legality of a locker search was upheld because the search was accomplished as a function of the school's obligation to protect the welfare of all students. Progressively the courts seem to be moving toward granting students more rights of privacy and protection against unreasonable search and seizure.

Late in 1974 Congress amended the Family Educational Rights and Privacy Act of 1974, which went into effect in November 1974. This change opened student files at all levels of education to parents and students with some restrictions. Post-secondary schools must open their student files to parents and students 18 years or older. Administrators should check further restrictions relating to record accessibility.

The Right to Freedom from Self-Incrimination

"No person shall . . . be compelled in any criminal case to be a witness against himself."

Protection from self-incrimination identified in the Fifth Amendment is a major judicial safeguard aimed at achieving justice and the protection of other human rights. This right stems from the long-established belief that no person should be forced to convict himself, particularly since the law for centuries resorted to torture in order to obtain confessions. It is also assumed that innocent people should be protected from remarks which might make them appear to be guilty. The major burden of proof regarding guilt should be on the government.

This freedom is further based on the premise that a person is entitled to hold private beliefs and ideas which he should not be forced to divulge.

Practices Which Exemplify Commitment to Freedom from Self-Incrimination:

YES	NO	
		1. Neither administrators nor teachers should exercise unfair pressure or undue influence on students to implicate them in disruptive problems or situations.

YES	NO	
		2. Administrators, faculty, and students are assumed to be innocent until proven guilty.
		3. Formal procedures are established whereby school personnel and/or a student or his parents might challenge the validity of information contained in personal records.

A Few Court Cases Which Apply to Freedom from Self-Incrimination

In *Miranda v. Arizona,* 384 U.S. 436 (1966), the court ruled that before questioning, a person must be warned that he has a right to remain silent and that he has the right to the presence of an attorney.

The Supreme Court emphatically asserted in *Slochhower v. Board of Higher Education of the City of New York,* 350 U.S. 551 (1955) that every person is entitled to the full enjoyment of the constitutional privilege against self-incrimination.

Summary

The courts seem to be in basic agreement that students are entitled to this right in disciplinary cases having a potential for legal actions as well as in criminal justice actions.

The Right To Be Different

Every individual is different in abilities, interests, needs, and physical makeup. The right to be different is fundamentally the right to think, act, dress, express opinions, and behave differently as long as the rights and safety of others are not violated. The right to be different is implied in other rights such as the freedoms of speech, privacy, and religion.

Judge Doyle recently said, "Is it not more vital to encourage experience with diversity and adaptation to it, in a diverse nation and world, than to encourage homogeneity?"

Practices Which Exemplify Commitment to the Right To Be Different:

YES	NO	
		1. The school has an organized program to systematically recruit staff members of varied backgrounds, race, sex, and style of inquiry.
		2. Regulations regarding dress and appearance of students and the manner of personal grooming, if present, relate only to safeguarding the health and safety of the students or to the actual prevention of disorder.
		3. An institutional environment conducive to instructional experimentation by faculty members is present.
		4. An atmosphere of freedom to disagree, to inquire, and to hold divergent views is created and maintained by both the principal and the teachers.
		5. A wide variety of evaluative techniques is used to judge a student on his own merits and to compensate for individual differences. Self-evaluation is encouraged and utilized.
		6. Multicultural/multiracial textbooks and materials are used throughout the school. Bulletin boards and equipment reflect this consciousness.
		7. Teachers are sensitive to the needs of students and seek regular feedback on the relative value of classroom activities and instruction.
		8. Organized inservice programs exist to aid teachers in the development of student-oriented instructional strategies which will enable them to work effectively with students of different races and socioeconomic backgrounds.

YES	NO	
		9. The teacher provides for classroom experiences which will enable the students to fully comprehend the dignity and worth of all people regardless of race, social class, origin, or ability.
		10. A wide selection of elective courses and extracurricular activities is available.
		11. The teacher recognizes and compensates for differences in readiness, ability, and achievement.

A Few Court Cases Which Apply to the Right To Be Different

In *Zachary v. Brown,* 299 F. Suppl. 1360 (1967) and *Reichenberg v. Nelson,* 310 F. Suppl. 248 (1970), the courts ruled in essence that it is the responsibility of school officials to provide substantial proof that long hair is disruptive to the educational process or has deleterious effects on the moral and social environment. The courts ruled in favor of the plaintiff as a result of the institution's failure to meet those requirements.

The courts ruled to the contrary in *Ferrell v. Dallas Independent School District,* 329 F. 2nd 697 (1968) when evidence was shown that grooming regulations were necessary and reasonable in order for the schools to perform their educational and social functions properly.

Summary

Since the Supreme Court has not heard a case involving this right alone, the limits tend to vary according to the attitudes prevailing in the section of the country where the case is heard.

While court decisions regarding hair styles and dress appear to lack consistency, some generalizations may be made. Most of the courts are in agreement that some constitutional right is involved in the issue. Unless school boards are able to show that hair styles, beards, and dress are clearly disruptive to the educational process, or are a threat to health and safety, the courts have tended to uphold the student.

Development of dress codes by representative groups of parents, teachers, and students is no guarantee that a court will rule in favor of a school. The concept of majority rule does not embrace the right to arbitrarily deny a constitutional right.

This right is generally protected as an extension of other clearly enunciated constitutional rights such as the rights of privacy, freedom of expression, and religion.

The Right to Freedom of Speech and Press

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press."

Freedom of expression, particularly in speech and the press, is a basic right which in a democracy aims at providing to every individual the opportunity to have access to the truth. Because the moral and political value of truth has had high priority as a basic belief in this society, the laws of this nation have consistently protected the individual in the exercise of the rights of free speech and press as enunciated in the First Amendment of the constitution. Freedom of expression is a necessary element in the exercise of intelligent choice in the selection of alternatives for action and must not lightly be abridged.

Practices Which Exemplify Commitment to the Rights of Free Speech and Press:

YES	NO	
		1. Through established machinery, teachers participate in making decisions about professional activities, school practices, curriculum, the operation and control of the school, and in matters of personal welfare.

YES	NO	
		2. The school provides students with opportunities to inquire, hear varied points of view, and explore and discuss controversial issues freely in their classrooms, forums, and clubs.
		3. Administrative or institutional policies protect faculty members in the exercise of their personal rights and liberties both in and out of the classroom. No threat of recrimination is perceived or suffered through the exercise of such rights.
		4. Student publications are considered learning experiences for students. The freedom to express opinions therein, as elsewhere, carries with it responsibility for whatever is included. Some faculty guidelines relating to obscenity and vulgarity are defensible for on-campus distribution.
		5. Lines of communication between students, faculty, and the administration are completely open at all times.
		6. Students regularly participate in setting up the objectives, topics, and selection of speakers for student assemblies, forums, and other gatherings under school auspices.
		7. The chief administrators in the school maintain a psychological climate conducive to the exercise of this basic human right.
		8. School policy protects faculty members who provide opportunities for the discretionary study and discussion of subjects, issues, or other experiences which are a part of the school curriculum.
		9. Teachers play a major role in textbook selection and in establishing the curriculum.
		10. This right is abridged only when the activity poses a demonstrated threat to the safety and health of the school or community or prevents the learning process from continuing.

A Few Court Cases Which Apply to Freedom of Speech and Press

In *Antonelli v. Hammon,* 308 F. Supp. 139 (1970), the court outlined procedural safeguards required by the First Amendment as being: 1) that the censor bears the burden of proving obscenity, 2) that the requirements of advance submission be not so administered as to preclude appeal, and 3) that the procedure assume a prompt judicial determination.

The court in *Goldberg v. Regents of University of California,* 57 Cal. Reptr. 463 (1967) ruled in favor of the institution which had suspended students for bearing placards emblazoned with four-letter words. The court upheld the suspensions on the basis that the students had clearly infringed on the minimum standards of propriety and the institution's regulations had been reasonable.

In *Scoville v. Board of Education of Joliet Township High School District 204,* 425 F. 2d 10 (1970) the court of appeals reversed a district court ruling which upheld the expulsion of two students who had distributed in the school a publication that they had prepared off campus. The appellate court ruled that there was no evidence to support the argument that the actions of the students had posed a "clear and present danger" to the orderly conduct of the educational processes.

Summary

In decisions supporting the First Amendment rights of students, the courts have held that school authorities were not able to prove that articles in school newspapers possessed the potential for substantial disruption to the educational environment.

Student criticism of school officials and school policies is not, in itself, grounds for the dismissal of students.

On the other hand, courts have found in favor of school officials when student publications were found to contain expressions of vulgarity and obscenity.

The Right of Dissent

The right to dissent is an extension of freedom of speech and expression and is firmly established in our constitutional law and the behavior of our judiciary. For example, decisions of our federal courts, including the Supreme Court, often provide dissenting opinions which in later years may become majority opinions. The exercise of the right of individuals and groups to dissent in this society should be respected by those in power or status positions and should not be the basis for punishment or recrimination.

Practices Which Exemplify Commitment to the Right of Dissent:

YES	NO	
		1. Teachers are encouraged to express opinions on school matters and policies without fear of hierarchial recrimination, and machinery is present for teacher involvement and dialogue.
		2. The school officially provides students with opportunity to explore and freely discuss controversial problems and issues in their classes under competent supervision.
		3. The classroom climate established by all teachers encourages free and open discussion, inquiry, expression of opinion, and dissent.
		4. The institution uses established procedures regularly to obtain the views of students.
		5. Board of education policies specifically protect teachers and administrators as they provide students with opportunities to study problems which provide conflict and controversy.
		6. Board of education policies and administrative practices specifically protect teachers as they exercise their constitutional rights.

Court Case Which Applies to the Right of Dissent

In the landmark case of *Tinker v. Des Moines Independent Community School District,* 393 U.S. 503 (1969), the courts ruled in favor of the plaintiff's right to wear armbands as a form of protest. In this case, the court clearly stated that school authorities may not justify the limiting of student protest by merely claiming that dissenting behavior would be disruptive to the educational program of the school. Thus, school authorities must establish with substantive evidence that a rule restrictive of dissent is necessary to maintain order and discipline.

Much controversy centers over what constitutes a reasonable exercise of the right to dissent. Some attempt was made by the circuit court in *Burside v. Byars,* 363 F. 2nd 744 (1966) to clarify such boundaries.

In *Pickering v. Township High School Board of Education* the Supreme Court upheld the right of teachers to speak out on public issues when the dismissal of a teacher who criticized the school board in a published letter was overruled.

Summary

Courts have generally held that school officials cannot ignore expressions of feeling with which they do not wish to contend nor can they infringe on students' rights to free unrestricted expressions as guaranteed under the First Amendment, where the exercise of such right does not materially interfere with requirements of appropriate discipline in the operation of the school.

The Right to Freedom of and from Religion

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. . . ."

The right of religious freedom is basic to all other human rights. Essentially, it is the right to think one's own thoughts and arrive at one's own conclusions about what one views as truth, unhindered by the force of majority opinion.

Does a student regularly enrolled in public elementary or secondary school retain his privileges and right to religious freedom regardless of the religious makeup of the community in which the school exists? The courts have said "yes."

Practices Which Exemplify Commitment to the Right of Freedom of and from Religion:

YES	NO	
		1. School board policies state that the school, as a publicly supported institution, shall hold no religious exercises or activities.
		2. School rules and the attitudes of teachers and administrators provide freedom for nonbelief as well as strange beliefs. For example, if a student does not wish to take part in any school activity for moral or religious reasons, he is excused from doing so without being made to feel different or wrong.
		3. Religion is regarded as an area of intellectual inquiry and knowledge which may be included where relevant in academic courses.
		4. In recruiting and employing teachers and other personnel, the administration and board of education, as a policy, are unconcerned about the religious preference of prospective employees.
		5. Although the school remains neutral with respect to religion, pupils are encouraged to understand and appreciate religious faith as taught by their families and churches.
		6. Pupils who do not adhere to any particular faith are protected from embarrassment. The sanctity of personal belief or disbelief is scrupulously observed.

Brief Summary of a Few Court Cases Which Apply to the Right to Freedom of and from Religion

In *Engel v. Vitale,* 370 U.S. 421 (1962), the court ruled that a state may not compose official prayers, whether nondenominational or not, and may not require that they be recited each day in the public schools.

In *West Virginia State Board of Education v. Barnette,* 319 U.S. 624 (1943), the Supreme Court established the standard that practices of intolerance or inconsideration, no matter how subtle, toward nonbelievers or students holding strange religious beliefs, are considered violations of the First Amendment.

The court ruled in the case of *Calvary Bible Presbyterian Church v. Board of Regents of the University of Washington,* 436 p. 2nd 189 (1967) that a course taught as a study of the Bible for its literary and historic qualities and presented in a nonsectarian manner is in accord with this right.

The Supreme Court, in *School District of Abington Township, Pennsylvania v. Schempp, Murray v. Curlett,* 374 U.S. 203 (1963), ruled that a Pennsylvania statute requiring the public schools to conduct Bible readings was in violation of the First Amendment. The fact that the law in question prohibited schools from compelling students to attend or participate in such activities was found to have no material bearing on the issue. The court's decision was based on its interpretation of the First Amendment, and the court's opinion emphasized that national and state governments must maintain a "position of neutrality" in this important and cherished area of man's religious beliefs and practices.

Summary

In general, the courts are in accord with the practices and behaviors outlined in this guide under the right to freedom of and from religion. However, there is evidence that hundreds of schools consistently violate the intent of the law in this regard.

Section 3
SPECIFIC CHECK LISTS FOR DESCRIBING THE HUMAN RIGHTS BEHAVIORS OF THE PRINCIPAL, THE TEACHER, AND THE STUDENT

To The Participant:

The attached instruments provide an opportunity for you to analyze the human rights behaviors of the principal, teachers, and students in your school. The instruments identify behaviors, practices, and responsibilities which, in the opinion of the Phi Delta Kappa National Policy Committee on Human Rights in Teacher Education, contribute to the effective observance of human rights in education.

All or any of the categories of the instrument may be used. The instrument may also be used in part to analyze human rights behaviors of a particular aspect of the total program. The last segment of the instrument deals with skills or competencies related to teacher effectiveness in dealing with human rights.

A. The Principal
Behaviors and Responsibilities in Human Rights

Check one: Principal _____ Student _____

Teacher _____ Other _____

Instructions:

Evaluate *Yes* if at least one instance is known in which the principal acted in the manner described. A principal may also use the instrument in self-evaluation.

YES	NO	
		*1. The principal has been available and approachable to the faculty.
		2. The principal has been available and approachable to the students.
		*3. The principal has respected and encouraged dissenting views and divergent behaviors by the faculty and staff.
		*4. The principal has encouraged instructional experimentation on the part of the faculty members.
		5. The principal has candidly discussed teaching strengths and weaknesses with both new and tenured faculty members.
		6. Before discipline or dismissal proceedings, the principal has given ample advice and opportunity for improvement.
		*7. In dismissal and discipline procedures, the principal has provided the staff members with due process.
		*8. The principal has respected the right of privacy in communication regarding faculty and staff.
		*9. The principal has protected faculty and students in the exercise of their personal rights.

YES	NO	
		*10. The principal has meaningfully involved faculty, staff, and students in the determination of policies which affect them.
		*11. The principal has had understandable rules and policies relating to both students and faculty printed and distributed.
		*12. The principal has successfully recruited staff members of both sexes and with varied racial and cultural backgrounds.
		*13. The principal has assisted in obtaining the services of persons who express divergent views on controversial issues and problems.
		*14. The principal has made no attempt to regulate the participation of faculty members in political affairs.
		*15. The principal has discussed with new faculty members school expectations which are the basis for tenure and promotion requirements.
		*16. The principal has provided faculty with appropriate fiscal and other relevant information necessary for decision making in which they are involved.
		*17. The effects of the combined actions and behavior of the principal has been to create and maintain a psychological climate of freedom conducive to the enjoyment of basic human rights and liberties for all faculty members and students.
		*18. The principal has initiated efforts to engage the faculty in workshop and seminar activities designed to improve behaviors and practice in human rights and human relations.
		*19. The principal has set the tone which makes possible effective integration of minority group students into the life of the school.
		20. The principal has encouraged competent faculty members to provide students an opportunity to study controversial issues which often provoke conflict in our society.

*These items can also be used in an instrument for evaluating the superintendent.

B. The Teacher
Behaviors and Responsibilities in Human Rights

Check one: Administrator _____ Student _____

Teacher _____ Other _____

Instructions:

In assessing teacher behaviors and the exercise of their responsibilities as listed below, the evaluator should check *Yes* if a majority of the teachers typically perform in the manner described. Add additional statements as #15. A teacher may also use this part of the instrument for self-evaluation.

YES	NO	
		1. Teachers have insisted that school policies and regulations be consistent with recognized human rights and responsibilities.
		2. Teachers have provided opportunities for the cooperative involvement of students in course objectives and development.

YES	NO	
		3. Teachers have provided students an opportunity to engage in the processes of democracy, such as group procedures, discussion, techniques of inquiry, and cooperative planning.
		4. Teachers have solicited varied points of view during the process of instruction.
		5. Teachers have provided a wide range of learning activities to allow for differences in individuals.
		6. Teachers have treated information about students (such as test scores) confidentially.
		7. Teachers have assumed the innocence of students until they are proven guilty.
		8. Teachers have created a classroom climate which accepts differences.
		9. Teachers have not used ridicule or sarcasm to humiliate or destroy the self-respect of any student.
		10. Teachers have established a classroom climate that promotes free and open discussion and that respects student rights.
		11. Teachers have evaluated students on the basis of multiple criteria which take into account the total growth of the student.
		12. Teachers have openly expressed opinions and ideas that have dissented from the views of colleagues or administrators.
		13. Teachers have acted to protect the rights of those who differ with them and have exercised no reprisals against them.
		14. Teachers have taken issue with colleagues who have denied the rights of an individual or group.
		15. Additional Comments:

C. The Student
Behaviors and Responsibilities in Human Rights

Check one: Administrator _____ Student _____

Teacher _____ Other _____

Instructions:

In assessing student behaviors and the exercise of their responsibilities as listed below, the evaluator should check *Yes* if students frequently perform in the manner described. Add additional statement as #13.

YES	NO	
		1. Students have questioned school policies and regulations not consistent with human rights and responsibilities.
		2. Students have accepted and practiced the processes of democracy: group procedures, discussion, techniques of inquiry, and cooperative planning.
		3. Students have used the school paper or other media to express views on controversial issues.
		4. Students have responsibly challenged statements made by faculty in the classroom and other areas of the instructional program.

YES	NO	
		5. Students have not infringed on others' rights as they have exercised their own.
		6. Students have taken an active role in school committee work aimed at developing policies and procedures affecting the school.
		7. Students have used machinery that is available to protect their rights and the rights of others.
		8. Students have been meaningfully involved in developing regulations relating to student behavior.
		9. Students have expressed their views on school rules or policies.
		10. Students have supported and protected the rights of other students, faculty, and members of minority groups.
		11. Students have protested appropriately to administrators what they regard as inappropriate or poor instruction or evaluation.
		12. Students have on occasion petitioned in writing for redress of grievances.
		13. Additional Comments:

Section 4
A CHECK LIST FOR IDENTIFYING TEACHING COMPETENCIES RELATING TO THE HUMAN RIGHTS FIELD

Check one: Administrator _____ Student _____

Teacher _____ Other _____

Instructions:

Answer *Yes* if the competency or skill is demonstrated by a majority of the teachers you know in the school. A teacher may also use the instrument in self-evaluation.

YES	NO	
		1. Competency to teach the skills of fact finding so that students may effectively differentiate between fact and propaganda.
		2. Competency in applying abstract principles of a human right to a concrete, specific instance.
		3. Skill in creating an environment in which individuals are protected against physical, mental, and social abuse by other adults and/or the peer group.
		4. Skill in creating full and open discussion of problems, including controversial issues, in an orderly environment.
		5. The ability to help students choose those learning experiences which are relevant to their development, learning styles, needs, and interests.
		6. Competency in working with groups of various sizes and purposes.
		7. Skill in questioning, self-analysis, reflective thinking, and the use of the inquiry approach.
		8. Skill in formulating behavioral and attitudinal objectives central to the human rights concern.
		9. Competency in creating a climate of acceptance of differences.

YES	NO	
		10. Competency in providing success opportunities for all students appropriate to their level of development.
		11. Competency in effectively relating cultural backgrounds and values to the educational capabilities and needs of the individual or group.
		12. Competency in creating learning situations whereby students fully understand the implications of stereotyping, discrimination, and racism as they relate to human rights.
		13. Ability to see and/or propose alternatives; to envision the consequences of alternative behaviors; to make decisions in the light of those consequences.
		14. Ability to be tentative in judgment and to resist too early closure in discussion.
		15. Skill in identifying institutional behaviors which limit or enhance specific human rights.
		16. Skill in evaluating personal behavior which limits or enhances specific human rights.
		17. Ability to recognize and deal with conflicts between values and rights.
		18. The ability and the disposition to examine one's own value system in the light of the basic values fundamental to a democratic society.
		19. Ability to state clearly and specifically the meaning of equal educational opportunity and the implications of human rights in attaining this.
		20. Ability to utilize student involvement in the establishment of course objectives and activities.
		21. Skill in interpreting the results of standardized tests.
		22. Ability to determine the priorities for instruction.
		23. Additional Comments:

Section 5
CASES WHICH ILLUSTRATE VIOLATIONS OF HUMAN RIGHTS

Introduction

The modern school administrator is confronted by an almost interminable and varied array of perplexing problems. Limitations on his time and the urgency of certain issues may often require decisions to be made quickly. Obviously any administrator is concerned with making the "right" decision.

Decisions made without lengthy debate and deliberation need not be poor, but professionally correct decisions require the administrator to have a well developed and readily accessible set of beliefs regarding the basic purposes of education. The absence of such a philosophy and the failure to employ it in problem solving will usually result in arbitrary decisions which lack consistency and which leave the administrator groping for philosophical or empirical support when a decision is challenged.

Two broad, accepted purposes of American public education are the preparation of students for effective human relationships and for citizenship. The schools provide a social environment in which concern for the general welfare and respect for and obedience to lawful authority may be appreciated. However, if the political orientation stopped there, the practices

of American schools would be wholly indistinguishable from and interchangeable with the practices of schools preparing youth for participation in a totalitarian society. A distinguishing characteristic of our democratic society is the highly cherished regard for individual rights and freedom. This concept has found expression not only in political and philosophical rhetoric but, more fundamentally, in the laws and courts of this nation which must implement our constitutional guarantees of these rights.

If education for citizenship and effective human relationships are accepted goals of the schools, then it seems reasonable to expect that the processes of that education and the practices of the school be consistent with these aims.

It is within such a context that the case-study approach is suggested to analyze the decisions of teachers and administrators. Each case presented here illustrates the violation of a specific human right, and some of the incidents may represent a possible violation of two or more human rights. While only a few representative problems are dealt with, they encourage the user of this guide to develop and use the skills which may be employed in similar situations.

The discussion questions following each incident lead the reader through a problem-solving process which has two objectives. First of all, the reader will define and examine his or her own values and concern for human rights and then will attempt the identification of priorities. Second, the factors identified in each incident may be classified according to their relevant or irrelevant characteristics.

Right of Equality of Opportunity—A Case Study

Background

At a recent meeting of the Bright School District Board of Education, one of the board members raised a point regarding a neighboring high school which permitted a married student to serve as senior class president. The superintendent informed the board that the Bright School District had no policy regarding the participation of married students in extraclass activities. During the lengthy discussion which ensued, it became evident that there was strong opposition to such participation, though no decision on a policy was reached.

Incident

Elizabeth Wilson, a junior at Bright High School, and her mother were meeting with Mr. Smith, the high school principal. Mrs. Wilson opened the conference by stating that she and her daughter wished to be honest with him and went on to explain that Elizabeth was pregnant and had married the past weekend. Above all, she wanted nothing to interfere with her daughter's participation in school.

Mr. Smith was obviously surprised by the announcement. He knew Elizabeth well through her academic achievements and through her role as secretary of the student council. He fully understood what the parent and student wanted to hear. While considering the situation, he could not help reflecting on the strong opinions voiced during the past board meeting.

He informed Elizabeth and her mother that the student would be permitted to continue her studies, but that it would be in the best interest of the school and the student for Elizabeth to cease participation in all extraclass activities.

Discussion Questions

1. Are extraclass activities a basic part of the educational program?

2. Should all students have an opportunity to participate in the educational programs offered by the school?

3. What factors might form the basis for reasonable limitations on a student's right to participate in school activities?

4. Did marriage and pregnancy change the worth of the student? Were her basic rights altered by these conditions?

5. Did the opinions of the board members stem from concern for the educational welfare of all students? If not, what were other possible concerns?

6. What purposes might be served by implementing a policy which would deny Elizabeth the right to participate? The protection of other students? The image of the school?

7. Assume that you are the principal in this incident and decide on a course of action that you believe would be appropriate for Elizabeth. Categorize the factors which influenced your decision by indicating whether or not they are relevant to the educational objectives of the school.

The Rights of Freedom of Assembly, Association, and Petition—A Case Study (Also the rights of speech and dissent)

Background

The lack of adequate teaching aids and educational materials had been a frequently discussed topic at faculty meetings in the Olympic School District. While administrators and teachers agreed that the need was genuine and serious, little appreciable improvement had been realized over the past two years. The official report stated that funds were not available.

At a recent meeting of the board of education, the annual budget was approved, including a large appropriation for new athletic equipment. Many teachers were so appalled by the board's action and the apparent low priority given to educational needs that an emergency meeting of the local teachers' organization was called. Mike Jones, an elementary teacher and president of the teacher group, recommended that a petition asking the board to reconsider its funding priorities be circulated among the teachers.

As the petition drive progressed, opposition to the board's action became more vocal and widespread within the community, as well as the school. Within two days, every member of the board had called Mr. Watson, the superintendent, to voice their displeasure with "teacher involvement in the board's role."

Incident

Mr. Watson called Mr. Jones into his office and told him it was unfortunate that the teachers had not come to him to discuss their feelings toward the new budget, and that the course of action they had taken was only "creating discord between the faculty and administration and undue anxiety for the students." In view of the "disruption," Mr. Watson asked Mr. Jones to withdraw the petition "or face the responsibility for your actions when the board meets to consider next year's faculty appointments."

Discussion Questions

1. Have the actions of Mr. Watson and the Olympic Board of Education implied a role for teachers in the decision-making process? How would you describe that role?

2. What factors probably influenced Mr. Watson's decision to handle the petition the way he did? Were they defensible for the educational needs of the community and the educational objectives of the school?

3. Did his decision demonstrate a commitment to the human and civil rights of the teaching staff?

4. Assume that Mr. Watson had been committed to a leadership role based on the moral and ethical values fundamental to our democratic philosophy. What steps could he have taken to enhance the acceptance of such a role by the board of education and the community?

5. Does your school district have written policies which describe the procedures teachers may follow to voice grievances? Are such procedures outlined for students?

6. Are the teachers in your school free to assemble for open discussion of educational matters and school policies without fear of incrimination? Are the facilities of the school available for such meetings?

Right of Due Process—A Case Study

Background

At Westside Junior High School, all ninth grade students are required to enroll in physical science. During the fall semester, several students complained about a few other students who were cheating on exams. Mr. Wright, the principal, discussed the problem with the teacher on two or three occasions. Mr. Erg believed he knew the student who was passing on test information to his friends but was unable to observe any students passing on or receiving such information. The cheating became a topic of conversation at the PTA meeting, and several parents called Mr. Wright to express their dismay about the school's failure to do anything about it.

Incident

At an assembly two weeks before the end of the first quarter, Mr. Wright announced that any student found cheating would be automatically suspended and would not be reinstated until the student and the student's parents met with the school board. Immediately after administering a unit exam to each of his sections, Mr. Erg examined the desk of each student. After the third period, he found an English text belonging to Alice Smith. When he opened the cover to check for the name of the owner, he found a sheet of paper containing the answers to several of the problems.

That afternoon, Mr. Wright called Alice into his office. She admitted ownership of the text but denied any knowledge of the notes. Mr. Wright suspended Alice indefinitely and phoned her mother to notify her of the suspension. Mrs. Smith questioned the validity of the evidence and expressed concern for Alice since she would be unable to take the remainder of her exams and the board would not be meeting for three more weeks.

Discussion Questions

1. Was due process accorded Alice Smith? Did she have an opportunity to face her accusers? To examine the evidence? To a hearing before suspension?

2. Does teacher observation of an offense committed by a student satisfy the requirements of due process?

3. Does your school have some mechanism to provide an appropriate hearing before extended student suspension?

4. Was the summary action taken by Mr. Wright necessary to protect the welfare of Alice and the student body? Was his decision a reasonable one under the circumstances?

5. Does the student handbook for your school delineate the procedural steps to be followed by the school administration as well as the resources available to the student in the event of suspension or expulsion? Does it list the offenses for which a student might be suspended or expelled?

6. Did Alice violate the rights of her students?

7. Why do you believe due process has or has not been an influence in the administration of Westside Junior High School?

8. What relevant factors and objectives should be considered in determining a course of action regarding Alice?

The Right to Security of Person, Property, and the Right to Privacy—A Case Study

Background

The New Vista School District is located in a community with a population of 20,000. Professional school personnel have not been openly involved in state and local politics.

Mr. Brady, who has been superintendent for the past thirteen years, has continued the policy of briefing new teachers on their responsibility for maintaining a "good public image" and on the need to be "cautious in any involvement in controversial community or political issues."

Incident

Bob Swanson is now in his third year of employment as a math teacher at New Vista Junior High School. During the past summer, a personal friend of his decided to enter the race for the state assembly, and Bob found himself involved in the campaign.

As the election drew near and the tempo of the campaign picked up, supporters of the incumbent ran several newspaper ads challenging as "irresponsible" and "a threat to the financial security of the average family" those expenditures for education and other improvements proposed by Bob's friend. Bob became so infuriated about what he considered poor taste and misrepresentation that he solicited the financial assistance of several teachers to launch a counter-campaign. With the assistance of a few teachers, he developed a series of ads which outlined the educational needs of the state and the impact of increased financing upon the average taxpayer.

The day after the first ad appeared in the local paper, Mr. Brady called Bob into his office. He reminded the teacher that total community support for the school is essential and can never be taken for granted. He went on to explain that teacher involvement in partisan politics poses a potential threat to the working relationship an administrator must maintain with public officials. As if sharing a personal confidence, Mr. Brady concluded with, "Let's be practical, Bob. What kind of backing can we expect from a public official who has been openly opposed by public school teachers?"

Discussion Questions

1. Should public school educators be limited in their practice of the rights and freedom associated with adult citizenship?

2. Have you seen evidence of attempts by administrators and school boards to suppress open and full political involvement of teachers?

3. Does the community maintain the same standard of behavioral expectations for teachers and all other professionals? In terms of social activity? Recreation? Political involvement? Church membership?

4. What factors might influence a community to have different behavioral standards for teachers?

5. In reference to the incident, are Mr. Brady's expectations of teachers consistent with the concepts of democracy taught in the classroom?

6. How do the students of New Vista School District see their teachers as citizen role models?

7. List some relevant factors which should influence the development of professional personnel policies. What are some of the questionable factors which often influence the administration of professional personnel?

8. As a teacher, do you hesitate to participate in political activities? Have you ever taken an active and public role in a political campaign? If not, why not?

9. Does your school system have written personnel policies which provide staff members with descriptions of their duties and which protect employees from capricious and arbitrary disciplinary action?

The Right to Freedom from Self-Incrimination—A Case Study

Background

Several thefts had been reported by residents of West City, a community of 15,000. Because of the nature of the thefts, the police suspected the involvement of teenagers.

The Incident

A detective called on Mr. Johnson, the principal at West City Junior High, and requested permission to talk with Frank Savage, one of the students. He indicated that Frank was not a

suspect but that he might be helpful because of his association with youngsters who had records of previous offenses.

Mr. Johnson and the detective had known each other for several years and were members of the same civic club. Mr. Johnson also knew that the student had not been involved in any serious discipline problems at the school. The entire setting seemed so routine and familiar that Mr. Johnson did not hesitate to call for the student.

During the course of the questioning, the student made a statement which implicated him in at least one of the thefts.

Discussion Questions

1. Do your associates in civic and social groups and organizations regard the student as a citizen? Can you cite specific comments or remarks which led to your conclusion?

2. Does a student have the right to equal protection under the law?

3. Why should a democratic society preserve freedom from self-incrimination?

4. How can the school encourage the student to develop an appreciation of this right?

5. Should the right to be protected from self-incrimination be respected when a student is suspected of breaking a school or classroom rule? When cheating in your class?

6. What requirements does respect for this right impose on the teacher or administrator who questions a student regarding an offense?

7. How would you describe the beliefs and attitudes which led Mr. Johnson to permit the questioning of Frank?

The Right To Be Different—A Case Study

Background

During the 1972-73 school year, the principal at New Freedom High School, working with the student council, set up a committee to revise the dress code. The membership of the committee included three parents, three students, a local businessman, a teacher, a counselor, and the assistant principal. The recommendations of the committee were accepted and incorporated into the 1973-74 student handbook. Item No. 3 stated that male students' hair should not hang over the top of the collar of a shirt or jacket and should not cover the eyes or ears. The handbook was distributed to all students when they pre-enrolled for the 1973-74 school year.

Incident

On the morning of the opening day of the school year, Mr. Rousseau, the principal, was standing at the main entrance of the school as the students arrived. He noticed that Bob Williams, a junior, had let his hair grow to his shoulders and asked the student to go into the office. During the conference which followed, Bob stated that he was familiar with the dress code but wanted to wear his hair long. Mr. Rousseau told Bob to go home and not return until he had his hair cut. Within an hour, Bob returned with his mother. Mrs. Williams was extremely upset about her son not being in class because of something "which had nothing to do with his education," and said the school was "just trying to make all the students look alike."

Mr. Rousseau informed Bob and his mother that he would enforce the dress code and would not permit Bob to attend classes until he was in compliance with the code.

Discussion Questions

1. Should standardization of student behavior and appearance be an objective of the school?

2. From your observation of the operating practices of public schools, do you see standardization or conformity as an expressed or implied objective of the schools?

3. What educational objectives could be achieved through the dress code described in the incident? What other techniques, which might be considered more defensible, could be used to achieve those objectives?

4. What factors (social, personal, educational, etc.) were operating to prompt Mr. Rousseau to exercise leadership in establishing the dress code?

5. Place yourself in Mr. Rousseau's position. How would you explain your decision to suspend Bob to a reporter from the school newspaper?

6. Do the administrators of New Freedom High School and of the school district appear to be taking a leadership position on educational issues, or are the functions of the school determined by community norms?

7. To what extent does a student have the right to be different?

8. Should standards of dress which differ from those enjoyed by the student body be applied to members of the athletic teams, the band, or the debate teams? Do you consider such activities to be part of the curriculum?

9. Does your school have a statement of philosophy which expresses the acceptance of each child as an individual?

10. Does your school maintain dress standards which discriminate against members of ethnic minorities?

Right to Freedom of Speech and Press—A Case Study

Background

During the summer of 1973, the student council of Peter Zenger High School met several times to discuss and select its goals for the 1973-74 school year. In the first issue of the school newspaper, the following front page article outlined the council's objectives:

STUDENT COUNCIL GOAL: MORE FREE SPEECH ON CAMPUS!

In a recent interview, Student Council President Jim Johnson reported that "the council's first priority for this school year is the expansion of students' right to free speech on this campus. The members of the council plan to meet with our principal, Mr. Hunt, within the next two weeks to discuss ways of achieving their goal."

In explaining the council's position, Johnson reasoned that, "if our society wants us to develop faith in the goals of democracy, we must be given a chance to practice some of its freedoms. If the changes we are seeking are not implemented, we predict that student discontent on this campus will lead to serious student unrest. For the foregoing reasons, we, the members of the student council of Peter Zenger High School, do hereby unanimously ask the administration and faculty to implement the following requests as soon as possible:

"1. Establish a campus free speech area where students can gather to express their opinions on controversial issues concerning our school and society.

"2. Provide regular space in the school newspaper for the expression of student and faculty views on important issues.

"3. Abolish school regulations concerning dress and length of hair."

Incident

Three days after the article was published, Mr. Hunt was visited by Mr. Wrigley, the superintendent, and Mr. Jones, president of the board of education.

Mr. Jones stated that he had received numerous phone calls from patrons who questioned the mental and professional competencies of the people who were supposed to be "running" the school. He then read headlines from a local newspaper editorial which condemned the students' "demands."

Mr. Wrigley attempted to place the incident in a more practical perspective by reminding Mr. Hunt of the slim margin of approval received by the last bond issue.

They strongly urged Mr. Hunt to consider replacing the incumbent student council and newspaper sponsors with personnel who might demonstrate a greater sense of responsibility.

Discussion Questions

1. Is freedom of speech and freedom of the press vital to the existence of a democratic society?

2. Do high school students have a right to use the school newspaper to express their views?

3. How many students develop an appreciation for freedom of speech and freedom of the press and its concomitant responsibilities?

4. Should school publications be subject to faculty supervision? On what rationale would you base guidelines for supervision or regulation? What guidelines would be defensible?

5. What steps could Mr. Hunt take to insure the development of a school newspaper which would serve the needs of the entire school within the context of a free press? How might the students, faculty, and community be involved?

The Right of Dissent—A Case Study

Background

Nathan Hale High School is located in a school district which draws its patrons from a large rural area, as well as the local community, which has a population of about 10,000. For many students, the school day begins with a long bus trip.

Students and teachers have complained about the quality and preparation of the food served in the school's cafeteria. Seniors, who may leave campus during the lunch period, and teachers seldom eat in the cafeteria on a regular basis. About 15 percent of the students receive free lunches, and the lunch program provides an opportunity for many of them to receive the most nutritious meal of the day.

During the third week of the school year, a group of students approached the student council with the idea that improvements in the cafeteria might be undertaken if school officials knew the extent of dissatisfaction. The student council elected the petition as an appropriate course of action and succeeded in obtaining the signatures of a majority of the students. The petition was presented to Mr. McDonald, the principal. No action was taken and no reply was made to the students.

Incident

During the sixth week of classes, the student council met and decided to call for a student boycott of the cafeteria. No one on the faculty seemed alarmed by the prospect of such student activism until the lunch period on the first day of the boycott. About forty percent of the students, sack lunches in hand, proceeded to the north lawn of the campus instead of the cafeteria. Increasing numbers of students joined the boycott during the next few days.

While Mr. McDonald was not convinced the boycott would continue, he felt some counter action was needed and called for the officers and sponsor of the student council. During the conference, Mr. McDonald left no doubt about his conviction that the council's actions were the result of immature leadership. Everyone understood that continuation of the boycott could result in such reprisals as a shorter lunch period and a closed campus for all students.

Discussion Questions

1. Do students possess the right of dissent? The freedom to express that dissent?

2. Is the expression of dissent consistent with the stated educational philosophy of your school?

3. Cite specific occurrences which would lead you to conclude that your faculty and administration value the vehicle of student expression as an integral aspect of the decision-making process or simply as pressure valves.

4. Does your school system provide processes which enable students, teachers, nonprofessional employees, and parents to voice dissent? Do these processes protect the individual?

5. What insight into Mr. McDonald's rationale for school administration is provided by the

incident? Do you think his rationale is consistent with the expectations of the principalship held by the board of education and the superintendent?

6. Assess the apparent role of the Nathan Hale Student Council as viewed by the principal.

7. As a teacher at Nathan Hale, how would you react to a group of students who want your advice on planning a petition drive or boycott? Would you try to encourage another course of action or no action? Why?

8. As an administrator, how would your evaluation of a teacher be influenced because of his or her involvement with dissenting students?

9. As a classroom teacher, what expectations would you have of your principal if he were approached by a group of students who are complaining about your classroom practices?

10. Young people have often been advised to use appropriate procedures and work through the system in making changes. Did the Nathan Hale students do this?

11. Can dissent have a positive influence on school administration and the educational climate?

The Right to Freedom of and from Religion—A Case Study

Background

The baccalaureate ceremony at City High School has been traditionally considered part of the graduation exercises. If a student did not attend the ceremony, he was prohibited from participating in the graduation exercises. The service was essentially religious in nature, with ministers of the various Christian churches in the community presiding.

Incident

Two seniors who were absent from the morning baccalaureate services arrived at the high school auditorium to take part in the graduation exercises.

Mrs. Green, the senior sponsor, took the students aside and questioned them about their earlier absence. Richard explained that he was not a Christian, and that his parents objected to his participation in a Christian ceremony. Mike, son of a school board member and a student in Mrs. Green's Sunday School class, stated that he was eighteen years old and no longer believed in organized religion.

Since the students' actions appeared to involve a clear breach of school policy, Mrs. Green sent for Mr. Harris, the principal. After hearing the arguments of the students, Mr. Harris decided that the only course of action open to him was to bar both students from the graduation ceremony.

Discussion Questions

1. What is the school's role in the religious education of students?

2. Do members of the community expect the school to encourage the religious development of students? What school and community practices have you observed to support your conclusion?

3. Have the practices in this school demonstrated a commitment to respecting the religious beliefs of all students?

4. Does the curriculum of your school provide students with an opportunity to study religions of the world?

5. As a classroom teacher, are you sensitive to the religious beliefs of students during discussions of controversial issues?

6. In the treatment of controversial issues, do you attempt fair and accurate interpretation of the positions of major religious institutions regarding the matter?

7. In view of the Supreme Court decisions affecting Bible reading and prayers in the schools, do administrators, boards of education, and teachers who continue to engage in or encourage such practices demonstrate by their conduct respect for the principle of government by law?

8. Are voluntary prayers consistent with the spirit of the law? Do students' perceptions of peer and teacher expectations impose a quasi-compulsory status upon such practices?

9. Does the school have a responsibility to provide students with a chance to study religion as an area of human knowledge and intellectual inquiry as a part of the academic portion of the curriculum?

PART V

HUMAN RIGHTS AND THE CURRICULUM

Section 1— The Curriculum: Human Rights and Responsibilities, Human Relations, and Multicultural Education

Section 2— The Social Studies

Section 3— The English Language Arts

Section 4— Some Content Suggestions for Improving Social Studies and the English Language Arts Programs

Section 5— The Study of Controversial Issues

Section 6— Equality of the Sexes in Curriculum and Services

Section 7— Evaluating the School in Terms of Multicultural-Multiracial Education

Good human relations in the classroom means that teachers and students understand, accept, and respect each other as individuals sharing similarities and enriched by differences.

Everyone has the right to his opinion. A person has the right to be wrong. But a textbook has no right to be wrong, or to lie, evade the truth, falsify history, or insult and malign a whole race of people.

Our history has been made by a great number of people, a great diversity of people. Yet this rich pluralism is buried by historians and usually ignored by our school texts. The results of this have been a distortion of our history, an injustice to groups of people—minorities, women, religious groups—and a disservice to our students.

Minnesota State Department of Education

Section 1
THE CURRICULUM: HUMAN RIGHTS AND RESPONSIBILITIES, HUMAN RELATIONS, AND MULTICULTURAL EDUCATION

Every school must direct a planned effort toward the improvement of interpersonal and intergroup relations in the direction of respect and appreciation for the diversity which our cultural and racial groups represent. Public schools must prepare young people to live and work in a multiracial and multi-ethnic society, and school boards and educators must recognize that these areas are just as important for white students as they are for members of minority groups. The lack of minority group representation in the school or in the community is not a valid reason for excluding these program efforts from the curriculum. Knowles and Prewitt state, "The most affluent, best-equipped schools present white children with a distorted view of black people and other races. Children are brought up to accept America's racism and yet to 'believe in freedom, justice, and equality for all.'" Racism fundamentally means the denial to people of their basic human rights because of their race or color. Therefore, individual and institutional racism exist because large numbers of people, established organizations, and institutions are unwilling to accord to persons of a different race and color the enjoyment of their human rights.

What responsibility does the public school have for the provision of opportunity for students to study and discuss moral and political values, human rights, and the Bill of Rights in the organized classroom programs of the school? Does the school have not only an obligation to develop practices and operational procedures which exemplify commitment to these matters but also the obligation to systematically provide a chance for the student to study these issues and problems as a basic part of the curriculum?

What are the segments of the school program which lend themselves best to the study of such issues? Teachers in each discipline must accept some responsibility for helping students to develop an understanding of and hopefully a commitment to the human rights and values basic to our democratic society. Some subject fields, by their nature, appear to lend themselves more readily to this purpose. Certainly the social studies and the English language arts are fertile fields for the achievement of the human relationship and citizenship goals of education.

At the same time, widespread opportunities are present in many curriculum areas to develop understanding of the problems faced by members of minority groups in the United States. Attitudes and behaviors which can result in increased equality of opportunity and status for the millions of blacks, Indians, Mexican-Americans, and disadvantaged Caucasians in our nation is the major goal. The struggle for human rights, the plight of minorities, the task of developing awareness and understanding in the areas of multi-ethnic and intercultural education and the search for equalizing opportunities for members of minority groups are tasks which public schools can no longer postpone. Many statewide efforts are now under way to achieve these goals.

Teachers in All Areas of the Curriculum Should:

1. Create the classroom climate which accepts all students, accepts differences, and respects basic human rights.

2. Develop a healthy self-concept and self-image in students.

3. Identify appropriate affective learning objectives which recognize human rights and human relations goals as legitimate learning outcomes.

4. Develop instructional objectives and content which are relevant and are directed toward the important social, economic, and political problems and issues of this society.

5. Engage in instructional activities and teaching methodologies which involve students in the processes of democracy.

6. Develop teaching competencies which permit the teacher to aid the student in moving toward increasing self-direction.

7. Reduce or eliminate highly authoritarian teacher and administrator behavior which ignores student needs and inhibits democratic processes.

8. Evaluate students in terms of their total growth patterns.

9. Make a special effort to accomplish true integration and to serve the needs of disadvantaged and/or minority group students.

10. Use textbooks and other teaching materials which are properly multiracial and portray fairly the contributions of minority groups to American civilization.

11. Recognize and compensate for differences in ability and readiness.

12. Provide students with the chance to discuss important controversial problems and issues in their classes.

13. Encourage free inquiry, an acceptance of dissent, and the promotion of critical thinking.

Section 2
THE SOCIAL STUDIES

The social studies have for too long denied children and youth the opportunity to explore the issues and problems which have provoked conflict and controversy. Millions of youths have not had the chance to learn about the contributions of minority groups to American civilization, nor have they had the opportunity to understand what the Bill of Rights really means. The chance to study and understand the moral and political values which are basic for the achievement of a genuinely democratic society has all too often been missing.

Attitudes and behaviors which in essence constitute "character education" must obviously be based on a study of basic moral, ethical, and political values, and this is certainly the realm of the social studies. Why have these concerns received so little attention in the instructional programs of our elementary and secondary schools?

Shaver recently emphasized, "Few schools have developed a coherent curricular sequence in social studies. Schools traditionally offer a hodgepodge of courses with no general relationship to each other except duplication and redundancies. The social studies should be inquiry studies and must include the study of original documents and the involvement of students in current issues. Inquiry courses by their nature will provide the student with an opportunity to examine his own personal values. Social studies teachers must be involved with critical thinking, the teaching of students to be open; to entertain new ideas; to search for data; to recognize and deal with value conflict; to admit to inconsistencies; and to be tentative in their judgments."

Providing students with the opportunity to discuss and to freely explore the significant issues and problems that provoke conflict and controversy in this society is central to the obligations of this segment of the curriculum. Through a study of these matters, students can learn of the idealistic aspirations of this society and our many shortcomings in seeking these goals. This objective will not be achieved unless each school district and school administration encourages and protects competent teachers as they attempt this difficult task.

Students should understand that law is vital in any society and that the law protects both the individual and society against violence, fear, oppression, and anarchy. They must also know that man is born with certain human rights, that each of these rights must be exercised responsibly, and that a major purpose of law is to protect him in so doing.

A current major emphasis, therefore, in many educational programs throughout the nation is on law-focused or law-related curriculum. Projects are now in operation in many states and in numerous school programs in this area. This effort, because of its close relationship to the purposes of this guide, is briefly described below.

Law-Focused Education

Law-focused education is a teaching methodology by which legal concepts and real court cases are used in the curriculum to examine individual rights and liberties and their concomitant responsibilities.

Through this teaching approach, students are provided an opportunity to dip into real law cases so that they can see and feel the inherent conflicts and values, and thus sense the fragile quality of their individual rights. This experience provides the opportunity for students to study the facts of a case, determine the issues, render a decision, and examine their decisions in the light of liberty, justice, and equality.

Teacher preparation for using this approach consists of some instruction in substantive issues of law including a study of freedoms and their historical evolution, due process, the Bill of Rights, law and the community, and law and the minority groups. Teachers are also instructed in the Socratic and case methods of teaching.

Many films, filmstrips, simulation activities, and other materials have been developed to supplement the law-focused approach to teaching. Workshops and other inservice activities have been held in many parts of the nation, chiefly for social studies teachers, in an effort to incorporate this program into the curriculum of public schools. These efforts have also been successful with groups of English language arts teachers and with teachers who work in other subject fields in secondary schools. Elementary teachers, too, have found the program possible of implementation in their classrooms.

Section 3
THE ENGLISH LANGUAGE ARTS

Extensive opportunities are present in the language arts for the study and exploration of moral, ethical, and political values and for the interplay of interpersonal and intergroup relations. Through the study of literature, students are exposed to many different ideas and alternatives in decision-making while the communication skills of listening, reading, writing, and speaking provide chances to utilize these and other skills in the processes of critical thinking.

Why have programs in the English language arts area consistently neglected the opportunity to understand how the language can be used to confuse, misinterpret, and misinform in a society where most people are subject to the whims of the media? Why has so little attention been paid to past contributions in black, Indian, and Mexican-American literature? Why are so many teachers of the English language arts wed to the necessity of teaching almost exclusively the so-called masterpieces of literature instead of providing students with the opportunity to read and study literature which deals with critical issues and problems of current society?

The present concern for "double-speak" so that students may understand the ways in which language is used and manipulated with special reference to propaganda, politics, advertising, education, and business is of special importance in a democratic society where we have a free press and other communication media. The role of semantics in causing and perpetuating racial and other forms of prejudice is another aspect of this area of concern.

Through the study of black, Indian, Mexican-American, and other literature, opportunities are present for broadening the scope of language arts objectives, strengthening self-concepts, expanding intercultural understandings, and making the study of English more meaningful for minority students.

The present national movement for law-focused curriculum, functioning thus far chiefly in the social studies, has many implications for the teaching of English. The study of our basic political documents, the values on which they rest, and the exploration of both human and civil rights should form the basis for many of the issues and problems which English teachers can no longer deny students the opportunity of studying and discussing.

The English classroom is no longer a place of refuge from the problems of the world and society. A recent study in the Southwest revealed that an overwhelming majority of English

teachers approved the following issues or problems being discussed in a work of fiction or non-fiction that might come up for study in a high school English class:

1. Abortion
2. Alcoholism
3. "Generation Gap"
4. Capital Punishment
5. Evolution
6. The "God Is Dead" Debate
7. Gun Registration
8. Principles of Communism
9. Divorce
10. Poverty in America
11. Welfare Programs
12. Distribution of Wealth in the U.S.
13. Euthanasia (Mercy Killing)
14. Black Nationalism and Militancy
15. The "New Morality"
16. Equal Employment Opportunities
17. Censorship of Literature, Including Books
18. Medical Transplants
19. Ecology—Pollution of the Environment
20. Pacifism (Conscientious Objectors)
21. The Right To Be Different
22. Population Explosion—Birth Control
23. Prejudice
24. Language (Obscene, etc.)
25. Open Housing Legislation
26. Human-Civil Rights
27. Sex Education in Public Schools
28. Public School Desegregation
29. Medicare and Medicaid (Socialized Medicine)
30. Smoking
31. The Right of Privacy
32. Compulsory Military Service
33. Minority-Majority Rights
34. Amnesty

Most teachers of English language arts, however, will probably refrain from discussions of some of these problems in their classrooms unless the principal and/or superintendent of schools provides the school climate and encouragement which will make him secure in this process. Professional organizations of teachers should insist that this protection be provided.

Section 4
SOME CONTENT SUGGESTIONS FOR IMPROVING SOCIAL STUDIES AND THE ENGLISH LANGUAGE ARTS PROGRAMS

Most teachers continually seek the content and teaching approaches which they feel will help them best achieve their legitimate teaching-learning outcomes. Many of the ideas below are closely related to establishing new objectives and improved means of reaching those objectives.

1. Seminars, films, visiting lectures, interviews, general and small discussion groups, discussion and observation of "how it is" in public schools and community organizations and agencies.

2. The meaning and limitations of individual human rights and how they should be exercised.

3. Rights and duties of citizens—participation in voter registration, election campaigns, voting, etc.

4. Emphasis on major areas of human conflict in this society: race relations, rural-urban antagonisms, political extremism of the left and right, youth-adult conflict, labor-management, and the role of government in solving our problems.

5. Student activism in relation to man's age-long struggle to be free.

6. Constitutional government—visits to local, state, and national governmental agencies; examination and change (if needed) in the school's government; examination and change (if needed) in the school's constitution, and in the charters and constitutions of school clubs and organizations participation in administration and organization of the school; use of experts in constitutional law.

7. Enrollment in a political party, participation in primary and election campaigns, investigation of relations between courts and politics, investigation of appointments to judgeships, boards of education and other bodies.

8. How to work effectively in changing the system.

9. The relationship between freedom and order—speaker or resource person (chief of police).

10. Authority in a democratic society and its reasonable exercise.

11. Understanding the law, justice, and human rights.

12. The relationship between liberty and authority—resource person.

13. Human-civil rights and the generation gap; the parents' point of view; a radical student's point of view; a "square" student's point of view.

14. The use and abuse of authority in the classroom and in the school. Participation by students in determining the limits of behavior.

15. The relationship value and behavior patterns to social class and economic affluence or deprivation.

16. How teachers and administrators use "power" positions to determine students' lives, social status, educational opportunities. The abuse of power.

17. Investigation of current public school practices such as: grouping by ability, corporal punishment, student government, teaching controversial subjects, discussion or recitation, mass instruction, the open classroom, illiteracy, and alternative programs and schools.

18. Role playing to show respect for or lack of respect for various individuals depending upon race, appearance, social status, sex, and age.

19. Confrontation with situations requiring individuals to make choices or meaningful decisions regarding their own behavior.

20. Emotional and consequent physical effects on an individual whose rights are denied or who is prevented by a person or group from exercising his rights.

21. Effects of withdrawal of rights that seemed to be within reach, for example: Black militancy after 1964.

22. Sexism in the curriculum and school.

23. Traditional personality—the former role blacks were forced to play in conflict with the new role and effects on youth caught in the double bind.

24. Self-concept: formation of, effects on learning and behavior, effects on social behavior.

25. Analyze classroom or school practices which promote discrimination, scapegoating, downgrading, expulsion, stereotyping, and rejection.

26. Accent on relationship between school practices and the pattern of cultural and home backgrounds.

27. Accent on the psychological establishment in terms of past authoritarian behavior and the reasonable limitation of authority.

Section 5
THE STUDY OF CONTROVERSIAL ISSUES

Controversial issues are important proposals, ideas, concepts, or policies about which citizens hold different points of view. Controversial issues are those on which conflicting views

are held by political parties, religious groups, by management and labor, by city and country, and by other large groups of our people who disagree on the proposed solutions to important problems.

The basic values and human rights identified in our basic political documents form the basis for the school's obligation to deal with issues which provoke conflict and controversy. Gradual social change is inevitable, and the public schools should include the study of some important unsolved problems which involve controversy. These are appropriately studied insofar as the maturity of pupils and the means available permit. Only through the study of political, economic, or social issues does youth develop certain abilities needed for citizenship in our democracy.

The schools do not teach controversial issues, but rather provide opportunities for their study. The schools teach the American heritage—our generally accepted values and human rights—and, in doing this, provide opportunities for pupils to study controversial issues under competent guidance. In all grades, the schools should provide opportunities for pupils, according to their maturity, to analyze current problems, gather and organize pertinent facts, discriminate between fact and opinion, detect propaganda, identify prejudice, draw intelligent conclusions, respect the opinions of others, and accept the principles of majority rule and the rights of minorities.

Free discussion of controversial issues is the heart of the democratic process. Freedom of speech and free access to information are among our most cherished traditions. Most pupils in the senior high school are mature enough to study the significant controversial issues facing our citizens. It is the responsibility of the schools to provide for this study.

For the public schools, policy on controversial issues is better defined in terms of the rights of pupils rather than in terms of the rights of teachers. In the study of controversial issues in the public schools, the pupil has four rights to be recognized:

1) The right to study any controversial issue which has political, economic, or social significance and concerning which (at his level) he should begin to have an opinion.

2) The right to have free access to all relevant information, including the materials that circulate freely in the community.

3) The right to study under competent instruction in an atmosphere free from bias and prejudice.

4) The right to form and express his own opinions on controversial issues without thereby jeopardizing his relations with his teacher or the school.

The study of controversial issues should be objective and scholarly, with a minimum emphasis on opinion. The teacher must approach controversial issues in the classroom in an impartial and unprejudiced manner, and must refrain from using his classroom privileges and prestige to promote a partisan point of view.

On the other hand, the teacher is also a human being, and if he can do so without unduly manipulating the prestige of his position as a teacher, he should be permitted the right to express his own opinion as long as he does not attempt to impose it on others. To deny his right to do this is to inject an unreal element into class discussion. And of course the students do have a right to know what the teacher's opinion is.

Good teaching of subjects containing controversial issues requires more skill than most other kinds of teaching and, so far as possible, only teacners of superior ability are assigned subjects in which a large body of material involves significant controversy. Many teachers find the inquiry approach a challenging way of involving students in discussions of this kind.

Instructional policy on controversial issues should be defined by constituted authority to protect teachers and school administrators from unwarranted attack by pressure groups, and to insure youth a well-balanced preparation for American citizenship.

Freedom to Teach—Academic Freedom

The right to know the truth as one sees the truth, the right to freedom of expression, free

speech, and dissent are all constitutional rights guaranteed all Americans by the First Amendment to the constitution. These rights are derived from the moral and political value or basic belief that the search for truth is fundamental to the success of our democracy. The institutions of higher learning are traditionally the bastions of this ideal in America, but the public school, too, must protect these rights.

The teaching profession has fought a long and bitter battle for the principle of academic freedom and is not inclined to abandon this concept lightly. The teacher must, therefore, be a free seeker after truth. It was Jefferson who stated that the real purpose of education is to seek and to teach the truth wherever it may lead. Thus, the teacher who has to repeat dictated ideas and has no freedom to investigate, to speak freely, to criticize, or to dissent from even the popular or imposed practices or actions is not a free person.

A helpful publication for secondary school principals and teachers as they deal with the problem of academic freedom and the rights of students and teachers in the public school is *Academic Freedom in the Secondary School,* published in 1968 by the American Civil Liberties Union. Also a useful guide is the publication *The Reasonable Exercise of Authority* produced by the National Association of Secondary School Principals.

Section 6
EQUALITY OF THE SEXES IN CURRICULUM AND SERVICES

Practices in public education which discriminate against females are not a target for equalizing educational opportunity for all students. Extensive activity in all areas of American society to eliminate discrimination, bias, and prejudice on the basis of sex has invaded the entire education enterprise at levels. Title IX of the Education Amendments of 1972 proposed regulations which specifically identify many areas of past discrimination which in the future will not be tolerated in institutions enjoying the receipt of federal funds.

There can be little doubt that the practices of American schools have contributed to the widespread patterns of sex discrimination which have long been practiced in our society. The National Commission on the Reform of Secondary Education in 1973 stated unequivocally that school administrators and boards of education at both the state and local levels should set forth commitments to eliminate all vestiges of sexism in the schools. It further stated that areas of immediate concern are equal employment and treatment of the sexes in instructional and administrative positions, equal opportunities for female students to participate in all curricular areas including career education, and the elimination of all courses required of only one sex.

Many organizations have been established to advance the cause of equal rights for women and to combat evidences of sexism in the American society. A group which is active and contributes to improving the behavior of educational institutions in this area is the Resource Center on Sex Roles in Education supported by the Ford Foundation and located in the National Foundation for the Improvement of Education, a nonprofit organization aimed at increasing educational alternatives. This center identified 1972 as a landmark year for the stimulation of widespread activity in many areas of concern related to the elimination of discrimination in the treatment of women. A few illustrative examples of such activities follow:

1. The first national conference on sex role stereotypes in elementary and secondary education was sponsored by the NEA in 1972, and numerous state conferences were held in the following two years.

2. Efforts to increase teacher awareness of sex stereotypes were carried on in the Cedar Rapids Schools.

3. A ten-month study of sex role stereotyping involving sex stereotyping in counseling, textbooks, sports, and employment of staff was conducted in the Dallas schools.

4. A Berkeley women's task force conducted a study and developed a report to the Berke-

ley School Board recommending that curriculum development aimed at the reduction of sex role stereotyping be concentrated chiefly in the fourth through sixth grades.

Many public schools are carefully watching cases like the HEW action against a Texas school regarding the inequitable allocation of modest funds for girls' athletics as contrasted with a huge budget for carrying on athletic programs for boys. The implications are significant for the future direction of public education.

Questions with which every secondary school principal and superintendent must now deal in the area of equal education opportunity and sex bias might include:

1. Does your guidance and counseling program encourage both females and males to explore career opportunities which, in the past, have been regarded as closed to members of either sex?
2. Are physical education classes open to both boys and girls and are adequate facilities available to both?
3. Do both boys and girls have equal access to all scholarships and awards?
4. Are all vocational courses open to both boys and girls?
5. Are work-study programs, part of the regular curriculum, open to both boys and girls?
6. Are pregnant girls excluded from participation in any class or activity?
7. Are any courses required for the members of one sex and not for the other?
8. Are the members of either sex denied the opportunity to enroll in any course?
9. Is opportunity available for female participation in organized competitive athletics?

Section 7
EVALUATING THE SCHOOL IN TERMS OF MULTICULTURAL-MULTIRACIAL EDUCATION

Many public schools are periodically or continuously evaluating aspects of their educational programs and practices often in connection with their responsibilities towards agencies which accredit them. Criteria normally available have generally not included sections designed to assist the school in evaluating its efforts in human rights, human relations, or multicultural-multiracial education.

However, the National Study of School Evaluation now has an evaluation manual titled *Evaluation Guidelines for Multicultural-Multiracial Education* which contains criteria for judging school practices and behaviors in multicultural-multiracial education. Although this manual is not a basic part of the evaluative criteria, schools are encouraged to use it in appraising this important area of educational effort.

The manual, which is intended for use chiefly in secondary schools, defines multicultural-multiracial as referring to racial, ethnic, religious, and socioeconomic categories in the school and community, and efforts towards providing genuinely pluralistic education. It also assumes that the "melting pot" concept that prevailed so long in this country and in our schools is, in fact, no longer operative. The differences which exist among the various identifiable groups in our society, racial, ethnic, and cultural, must now be viewed as a positive force in America with none being subordinate to the other. It thus becomes important that each school appraise its total effort in providing education for a pluralistic society. No school is likely to do this without a specific commitment and a planned program for accomplishing this purpose.

This evaluation manual for multicultural-multiracial education includes material dealing with the racial and ethnic balance of the teaching and administrative staff, school organization and grouping arrangements, the curriculum, learning materials, special programs, the activity program, student personnel services, and the processes of student, teacher, and community involvement in decision making in multicultural and multiracial education. Teacher and student opinionnaires are also included.

PART VI

THE STUDENT AND HIS RIGHTS

Section 1— Providing for Student Rights and Responsibilities

Section 2— The Student and the Law

Section 3— The Student Activity Program and Some Serious New Concerns of Student Councils

Section 4— Student Unrest: A Continuing Problem

Section 1
PROVIDING FOR STUDENT RIGHTS AND RESPONSIBILITIES

Since the federal courts have made it quite clear that the Bill of Rights and other amendments to the constitution extend to all citizens regardless of age, including students, many schools now are systematically re-examining their rules, regulations, and codes of student conduct.

What assistance do schools need as they approach the task of developing and implementing new codes or policies which set forth clearly and understandably the rights and responsibilities of students? Who should be involved in formulating documents of this kind? What role should be played by students and by student councils in this effort? Who should assume leadership in accomplishing this task? What position has been taken by the National Education Association and state education associations on school codes of student rights and responsibilities? Are recently produced codes or policies available from school districts and specific schools? Have state education agencies or departments of education produced such codes or policies?

School administrators, teachers, and school boards should know that many codes and/or suggested policies are available on request. The State Departments of Education in North Carolina, Maine, and Pennsylvania have developed publications which should prove helpful to any school interested in developing a code of student rights and responsibilities. Hawaii has also developed a Student Bill of Rights and Responsibilities to be a guide for the schools of that state.

From North Carolina

In North Carolina, a task force on student involvement, consisting of a sixteen-member committee of high school students, formulated a statement titled *Student Involvement.* This statement identifies specific recommendations for positive student involvement in the total life of the school in the following areas of concern:

a. General administrative policies
b. Attitudes and actions of administrators
c. Attitudes and actions of students
d. Extracurricular activities
e. Student councils
f. Human relations
g. Hypersensitive areas
h. Suggestions for curriculum change

From Los Angeles

A 1972 publication of the Los Angeles City Schools titled *Student Rights and Responsibilities: A Handbook for Elementary and Junior and Senior High Schools* is potentially very helpful to any school or school committee dealing with this problem. The statements "A Time of Change" and "Rationale" in this publication provide a classic philosophical basis for school responsibility and action in this area. For example:

> The basic role of the school is education, not judicial. School resources are better expended in helping every pupil develop self-control and enthusiastic cooperation rather than in the exercise of punishment and application of external restraint. To this end, counseling and guidance become more important in terms of emphasis than do rules and their adjudication. . . . It is the purpose of this handbook to suggest for our young people the greatest amount of freedom allowable under law and commensurate with adult responsibility for student health, safety, and welfare.

Los Angeles has done outstanding work in establishing policies and producing administrative and curricular materials to help their schools deal effectively with student rights and responsibilities, intercultural education, human relations, and human values. Other school dis-

tricts can learn much from an examination of the Los Angeles publications and practices. The policy statement of the Montgomery County (Maryland) Board of Education on *Student Involvement in the Educational Process* is also well worth examining.

From Hawaii

The preamble of the Hawaii policy statement developed by students follows:

The primary function of schools is to nurture the educative process of students and to equip them constructively to meet the challenges of the future.

If we, the students of the state of Hawaii, are to become citizens trained in the democratic process, we should be provided full opportunity to inquire, to question, and to exhange ideas. Our rights and responsibilities, then, are analogous to those of an adult citizen.

I. Constitutional Rights

All students shall enjoy rights guaranteed by the constitution of the United States.

Students shall be governed by all laws and ordinances of the state of Hawaii and the county of residence.

Moreover, students shall respect all rules, policies, and regulations of the Department of Education and of respective schools.

II. Academic Responsibilities

Students shall have the responsibility to learn and to respect the rights of others to learn.

Students shall also respect the rights of others to teach.

III. Specific Rights

Students shall have the right to hear and express publicly and to hear various points of view on subjects without fear of reprisal or penalty.

However, students recognize the rights of others and the limitations imposed by the laws of libel, slander, obscenity, and incitement to riot.

Students shall have the right to be involved in the decision-making process that affects the educational system.

Students shall have the right to assemble peaceably.

Students shall have the right to "petition the government for redress of grievances."

Students shall have the right to organize clubs or associations within the school as provided in the school code.

Students have the right to due process.

Students have the right to privacy as provided in the Hawaii State Constitution, Article I, Section 5.

Students have the right to be concerned about teachers selected to instruct them and administrators who supervise the schools and educational system they attend.

From Phi Delta Kappa

The Phi Delta Kappa Commission on Administrative Behaviors Supportive of Human Rights recently produced a *Sample Student Rights Code* which was published in the December 1974 issue of the KAPPAN. This code, since publication, has received much favorable attention and a substantial amount of critical reaction, and deserves the careful examination of any school or school district which is seriously considering the formulation of such a code governing student behavior and rights.

The commission believes strongly that rules governing student behavior be written and distributed before they take effect. The commission also takes full cognizance of the recent court decisions on student records and strongly recommends that students and parents have greater access to and more control over their personal school records.

The code devotes much attention to student suspensions and is consistent with the latest Supreme Court decision in this regard. Attention is also given to expulsion and involuntary transfer along with involuntary classification of students into special education classes. The

matter of corporal punishment is quickly disposed of by stating, "Students shall not be subject to corporal punishment."

The code is clear about student searches in stating, "Searches of a student's person, his/her personal possessions, or his/her locker without a valid search warrant shall be prohibited unless the principal has a reasonable basis for believing that the student is concealing material the possession of which is prohibited by federal, state, or local law or the provisions of this code." Also identified for specific treatment in the code is the problem of possession and distribution of literature, freedom of expression and assembly, and freedom of religion.

Believing that discrimination has no place in public education, the commission asserted that schools should be open to all who wish to enjoy their benefits. The code states, "The right of a student to participate fully in classroom instruction and extracurricular activities shall not be abridged or impaired because of age, sex, race, religion, national origin, pregnancy, parenthood, marriage, or for any other reason not related to his/her individual capabilities."

Section 2
THE STUDENT AND THE LAW

The National Association of Secondary School Principals has been active in identifying and clarifying the rights and responsibilities of students in publications like *The Reasonable Exercise of Authority,* and more recently, through the monthly publication, *The Student Advocate.* The latter publication points out responsibilites are now available in both educator's offices and in bookstores. Two of the newest and best are *The Rights of Students* by Levine, Carey, and Divoky, and *The Rights You Have* by Fraenkel.

The Rights of Students provides a summary of current laws which affect students. Included are First Amendment rights, the right to a free public education, due process, corporal punishment, personal appearance, marriage and pregnancy, school records, and school classification procedures. The Committee on Youth Education for Citizenship of the American Bar Association now has a comprehensive guide to human rights and civil liberties materials. This guide can be useful to school administrators, teachers, and students. It is titled a *Bibliography of Law-Related Curriculum Materials.*

Some Suggestions

Many schools have found that a broadly representative committee with extensive student representation is an effective structure for the development of a student rights and responsibilities code, set of policies, handbook or student involvement pamphlet. Some schools have also discovered that student advisory committees, student-faculty councils, and administrator-student-faculty-parent committees are successful vehicles for working with this problem. They also provide a process for the continuing evaluation and improvement of what is produced. The use of a consultant from another school district or college is often helpful.

Section 3
THE STUDENT ACTIVITY PROGRAM AND SOME SERIOUS NEW CONCERNS OF STUDENT COUNCILS

The program of extraclass activities provides a unique opportunity for the development of skills and abilities and a concern for values important to effective and healthy human relations. Here, students get a chance to exercise leadership skills, to respect the rule of law, to appreciate differences, including the will of the majority and a concern for the rights of the minority.

Each school should evaluate carefully the involvement of its students in the activity program if it is committed to the concept of total student growth. More importantly, the pro-

gram itself should be evaluated for its total contribution to the education of youth.

Central to a contributive student activities program is an effective student council or student government association.

Many studies have attempted to identify the problems and issues which are of greatest concern to students in our secondary schools. These are often not the matters which teachers and principals are concerned about. A recent national study identified many of the concerns which secondary students hold, and the following list suggests problem areas which principals and teachers should seriously consider as they try to make school programs more relevant and responsive to student needs.

1. Drug abuse in our student body.
2. Racism in our school—among our patrons, our faculty, and our student body.
3. Value conflicts faced by our students.
4. Student rights and accountability.
5. Grievance procedures and channels of appeal for students.
6. Student activism, student involvement, and channels to respond to student voices.
7. The underground press and the grapevine; the public address system and its abuses; the developing student press.
8. New kinds of belonging and terms of membership; new dimensions in organization of meaningful activities.
9. Minority group problems of membership, participation, values, and economic and social discrimination.
10. To qualify for office may not mean academic qualification, citizenship qualification, or willingness to "look straight."
11. Principal's Advisory Committee organization, procedures, and powers, with regular meetings for both students and teachers.
12. Curriculum development with student input and response, new designs in education which belong to the staff, students, and community.
13. The Student Volunteer, a new kind of activist—curricular credit for involvement in the community.
14. Vandalism, apathy, non-involvement—enemies of the student council.
15. The angry student, the invisible student, the clique student, the good student, and the student without a category.
16. Depersonalized and dehumanized school settings.

Section 4
STUDENT UNREST: A CONTINUING PROBLEM

The National Public School Relations Association stated in *High School Student Unrest* in 1969 that 587 high schools in the nation had reported some form of student disruption or "serious" incidents. The same publication reported that more than half of the nation's junior and senior high schools had undergone some form of student protest and that more than twenty percent of these protests had racial overtones.

Although secondary schools throughout the nation reported significant decreases since 1970 in the amount of serious student unrest, many schools still report serious problems. It may be safely assumed that numerous secondary schools will continue to face challenges relating to student behavior.

Educators would do well to examine carefully the ideas and suggestions reported and advanced in *High School Student Unrest.* This publication provides much information regarding student unrest along with programs established in various states and school districts.

For schools desiring more precise suggestions directed at the prevention and alleviation of student unrest the publication titled *An Anatomy of Dissent,* published by the Nevada State Department of Education, should prove helpful. In this publication, attention is directed to the causes of student unrest, indicators of potential student unrest, and avoidance strategies. Model policy and position statements are suggested, including a planning model for handling bomb threats in the school.

Encouraging Student-Teacher Dialogue

Many educators think that the absence of regular dialogue and communication between students and teachers is a major obstacle to effectiveness in human relationships in the school. The Future Teachers of America of the NEA has for some time emphasized the need for establishing meaningful student-teacher dialogue, and in its publication *Blueprints for Action* offers sensible suggestions for implementing activities in this direction.

Superintendent Norman S. Green of Proviso (Illinois) Township High School suggests that staff members contribute toward student unrest in the following ways:

1. Tendency to talk more than listen.
2. Tendency to impose unconsciously the usually prevailing white, Anglo-Saxon, Protestant (WASP) value system on youngsters who neither understand nor accept it.
3. Tendency to over-emphasize rules and regulations and other rigid school controls.
4. Tendency to see pupils not as individuals but as a group.
5. Tendency to "turn off" students who display deviant behavior in class performance, grooming, and dress.
6. Tendency to "lock" students into a category of ability of aptitude (self-fulfilling prophecy).
7. Tendency to convey through a look, tone of voice, or a gesture "silent contempt" for some deviant characteristic of the student.

A Few Suggestions for the Principal

1. Don't judge the student body by the actions of a small group of students.
2. Trust kids and parents—assume innocence rather than guilt.
3. Let people help you—staff, students, parents.
4. Realize that every kid has a good side—keep looking for it.
5. Consider the student as the most important part of your job.
6. State the purpose of the school and its program so we can hear you. Then explain how you propose to reach this goal and our role in helping.
7. Take the student council seriously. Regard us with an open mind—not as a threat. Help us to grow and develop. Listen. Give us the dignity of being responsible leaders.
8. We will make stupid mistakes, will perform less than professionally, will be under attack from many segments of your staff. Please know that fact ahead of time and be prepared to defend us. We are in the process of learning and will sometimes deliver less than a finished product.
9. Explain policies and rules to us—the "why" behind the law.
10. Really try to be consistent and fair in both rules and actions. We respect that.

11. Don't be afraid to say, "I was wrong," or "Help me!"

12. Know that students' views are constantly changing. Listen to them now. Get involved in what's happening. Check your ideas with us to see if you really understand.

13. Respect the opinions of those on the faculty who differ from both you and the central administration.

14. Give the facts to students. Level with them. Allow for personal contact. Be available.

Causes of Student Unrest in High Schools—A Checklist

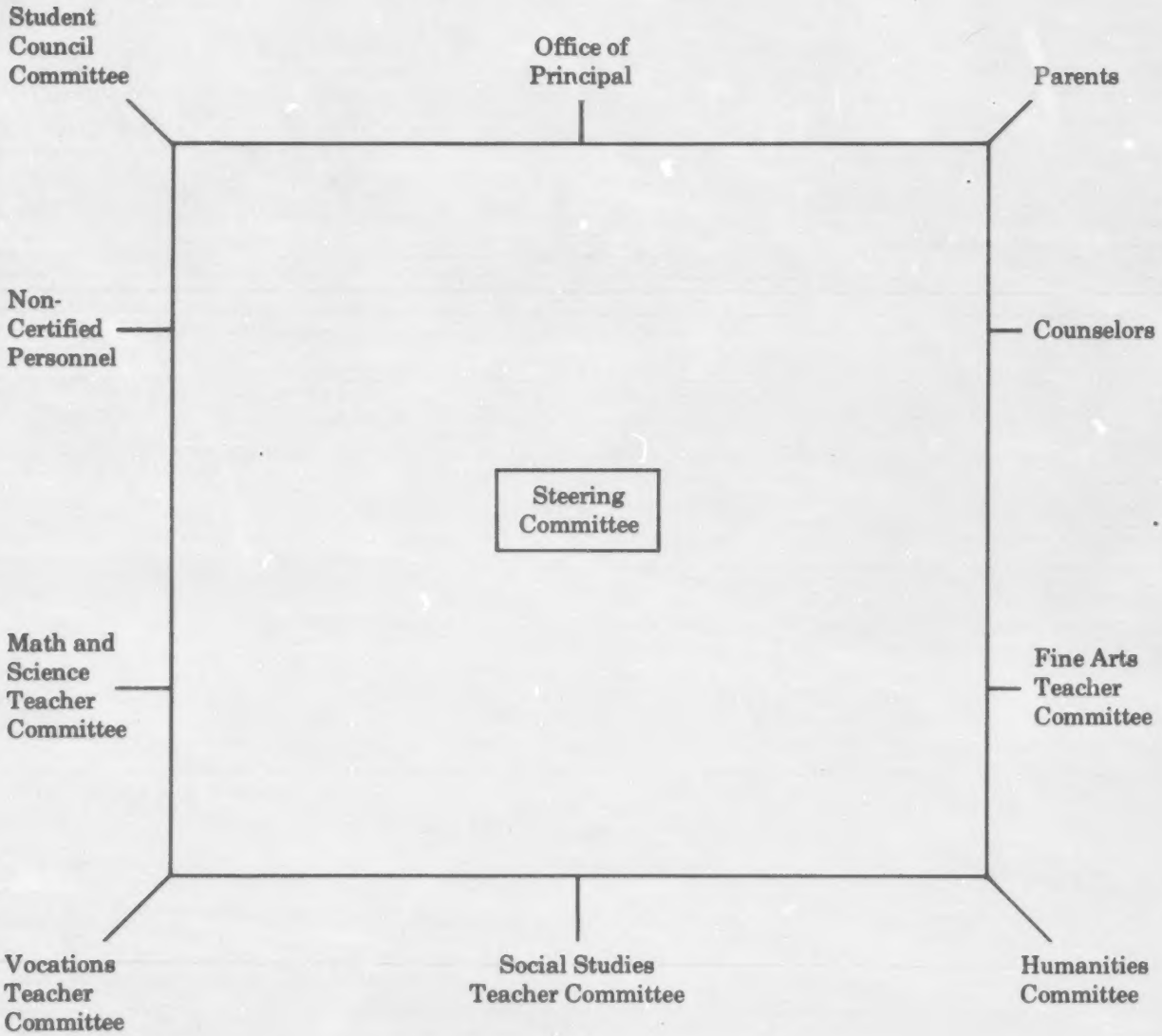
The checklist below is adapted from an instrument included in the April 1971 issue of *Blueprints for Action,* published by the Future Teachers of America.

Use column (1) to check the statements you believe are causes of student unrest. Use column (2) to rank the causes you have checked in order of their importance.

(1)	(2)	
_____	_____	1. The lack of open communication between students and educators.
_____	_____	2. The authoritarian approach of many educators.
_____	_____	3. The emphasis of the school on grades rather than helping students.
_____	_____	4. The permissiveness that exists in many homes.
_____	_____	5. The desire of students to be meaningfully involved in the educational process.
_____	_____	6. The breakdown of moral standards in society.
_____	_____	7. The initial over-reaction by youth to new freedoms.
_____	_____	8. The inability of racial groups to work together effectively in the schools.
_____	_____	9. The dictatorial rules and regulations of school.
_____	_____	10. The lack of humanizing environment in the schools.
_____	_____	11. The diminishing influence of the family structure.
_____	_____	12. The tendency of educators to "manipulate" rather than "involve" students.
_____	_____	13. The questioning of all authority by students.
_____	_____	14. The irrelevance of the curriculum to the future careers of many students.
_____	_____	15. The emulation by public school students of the radical dissent of college students and other groups.
_____	_____	16. The dull and uninteresting instruction often offered in schools.
_____	_____	17. The increased racial integration of schools.
_____	_____	18. The over-reaction of school personnel to the nonconformity of students.
_____	_____	19. The reduction of discipline in the school.
_____	_____	20. The differing points of view that exist between teachers and students.
_____	_____	21. The expanding constitutional rights of students as determined by the courts.
_____	_____	22. _____
_____	_____	23. _____

APPENDIX A
Figure 1

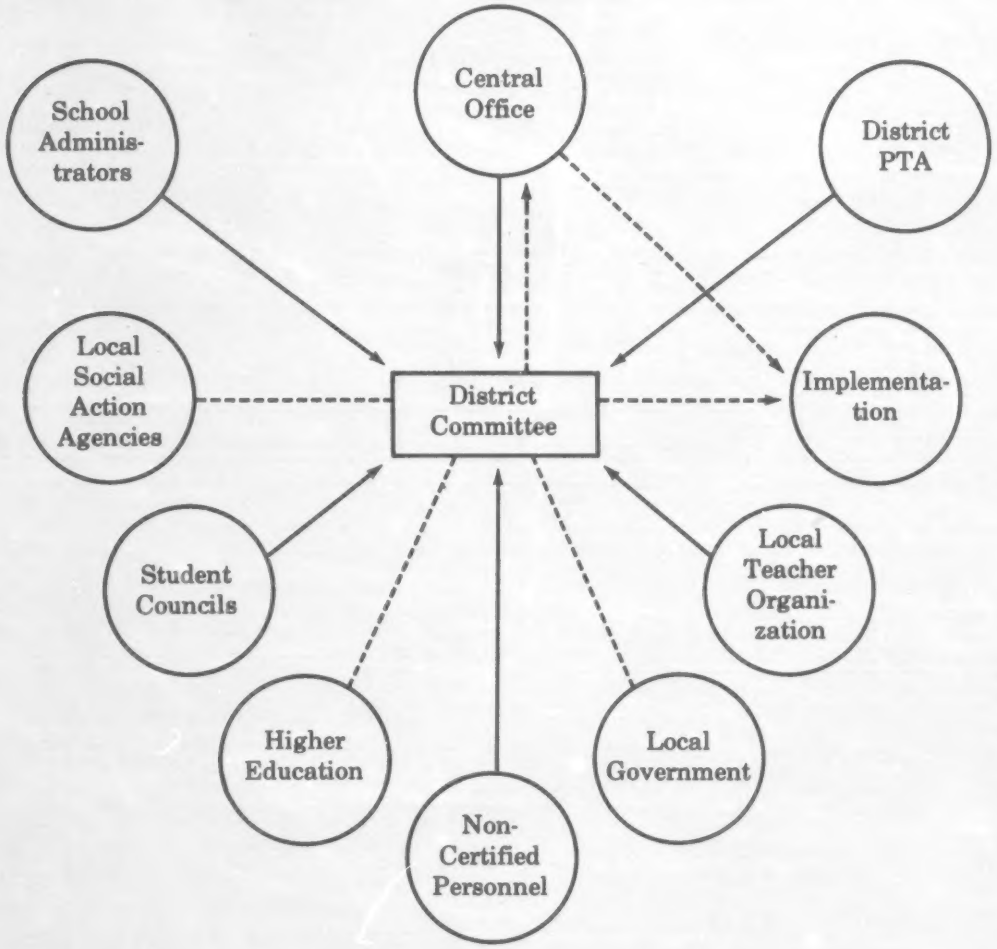
Organization for in-house involvement in the educational program of a secondary school to improve school behaviors in human rights



The major purposes of the steering committee are to identify practices in the school which either encourage or inhibit human relations and human rights concerns and to suggest ways in which instructional efforts in the various areas of the curriculum can be implemented so that classroom experiences will facilitate these matters. Suggestions and ideas for action can then be transmitted for possible implementation to the various special committees identified above and to the administrative staff of the school.

Figure 2

Suggested organization for district-wide participation in the educational program of the school district to improve school practices in human rights.



Key

Input from organizations which provide representatives to district committee.

Liaison between district committee and other organizations.

Information, action, and/or recommendation for action.

Functions

1. Receives input from community and school personnel.
2. Defines the problem in terms of the district.
3. Develops and evaluates possible solutions.
4. Determine an appropriate course of action.
5. Assigns responsibility for implementation or recommends a course of action to the central office when approval and/or broader coordination is required.
6. Maintains liaison with agencies of community and local government.
7. Identifies problems which exceed the scope and/or resources of the district, and recommends a course of action to the appropriate agency.

APPENDIX B

This instrument provides an opportunity for high school students to analyze human rights practices in their own schools. The instrument identifies practices and policies which, in the opinion of many educators, contribute to the effective observance of human rights by a public high school and those who participate in its programs and activities.

RIGHTS OF STUDENTS INVENTORY

School _____ School District _____

Circle the correct item:

Race: Black White Other

Sex: Male Female

Complete the Blanks:

Occupation of parents or guardian: Father _____ Mother _____

or Guardian _____

Circle the Appropriate Number in Each Column:

Indicate the highest educational attainment by your parents or guardians:

	Father	Mother
Eighth grade or less	1	1
Some high school, technical school or business school	2	2
Graduated from high school, technical school or business school	3	3
Some College work	4	4
College graduate	5	5

Instructions:

The following are some statements concerning policies and behaviors found in public high schools. Please indicate your own opinion regarding the extent to which you agree or disagree that the policy or practice is present in your school by circling number 1 through 5 in the appropriate column following each statement:

USE THIS CODE

1. Strongly disagree (SD)
2. Generally disagree (GD)
3. Undecided (U)
4. Generally agree (GA)
5. Strongly agree (SA)

	Strongly agree (SA)	Generally agree (GA)	Undecided (U)	Generally Disagree (GD)	Strongly Disagree (SD)
Example: Most of the teachers at this school appear to enjoy their work.	5	(4)	3	2	1
1. This school provides an equal educational opportunity for all students regardless of academic ability, race, social, economic, or religious background.	5	4	3	2	1

	Strongly agree (SA)	Generally agree (GA)	Undecided (U)	Generally Disagree (GD)	Strongly Disagree (SD)
2. Most teachers do not allow students to express disagreement with answers given or ideas expressed by the teacher or classmates.	5	4	3	2	1
3. The principal develops and maintains a school environment where student opinions and suggestions are welcome.	5	4	3	2	1
4. No opportunities are provided wherein a student in trouble may be judged by other students rather than by teachers or administrators.	5	4	3	2	1
5. Student representatives are encouraged by school officials to participate freely and express different opinions in the committees and student government bodies in the school.	5	4	3	2	1
6. Students do not have an opportunity to select a wide variety of elective courses.	5	4	3	2	1
7. At this school the religious beliefs of students and faculty are strictly a private matter.	5	4	3	2	1
8. If requested by students, student-counselor discussions are kept confidential.	5	4	3	2	1
9. The atmosphere in most classes is not friendly.	5	4	3	2	1
10. Most teachers make a special effort to involve all students in class activities.	5	4	3	2	1
11. This school does not provide students the opportunity to explore and freely discuss important controversial problems and issues in their classes.	5	4	3	2	1
12. An atmosphere is promoted and maintained wherein students feel free to associate at school with other students of their choice without pressures from teachers, counselors, or administrators.	5	4	3	2	1
13. This school does not sponsor exercises or activities that promote a particular religious belief.	5	4	3	2	1
14. Students are not free to disagree openly and responsibly with the administration.	5	4	3	2	1
15. All races, economic levels, and grades included in the school are represented on the student council.	5	4	3	2	1
16. No opportunities have been provided in your classwork to learn of the contributions made by racial minorities (with emphasis on the black, Indian, and Mexican-American) to American civilization.	5	4	3	2	1

	Strongly agree (SA)	Generally agree (GA)	Undecided (U)	Generally Disagree (GD)	Strongly Disagree (SD)
17. School officials provide opportunities for students to mix and interact in all school activities with students of different races.	5	4	3	2	1
18. Most teachers do not treat students as responsible individuals with individual needs.	5	4	3	2	1
19. Married students are allowed to participate in all extra-curricular activities.	5	4	3	2	1
20. Most teachers occasionally use ridicule or sarcasm to humiliate students.	5	4	3	2	1
21. Students are not subjected to punishment of any kind for signing a petition addressed to the administration—assuming that the petition is free of obscenities, libelous statements, personal attack, and is within bounds of reasonable conduct.	5	4	3	2	1
22. Many teachers post lists of grades with associated names of students without student permission.	5	4	3	2	1
23. The school newspaper is viewed as a learning opportunity, and students are encouraged to express their views in the school paper within a framework of responsibility for what is published.	5	4	3	2	1
24. This school takes disciplinary action against a student for his out-of-school participation in such things as public demonstration, picketing, and protest marches.	5	4	3	2	1
25. Students are not allowed to participate meaningfully in the development of school rules and regulations relating to student behavior and conduct.	5	4	3	2	1
26. Students are not provided opportunities for formal hearings and the right of appeal when suspended or expelled from school.	5	4	3	2	1
27. When questioned about some rule violation which may involve them, students may remain silent if they choose.	5	4	3	2	1
28. Students are not encouraged by teachers and administrators to think about developing their own personal values.	5	4	3	2	1
29. In some of your classes opportunities have been present for students to discuss the nature and effects of racism in the American society.	5	4	3	2	1
30. Most teachers use grades as threats and punishment.	5	4	3	2	1

	Strongly agree (SA)	Generally agree (GA)	Undecided (U)	Generally Disagree (GD)	Strongly Disagree (SD)
31. Students are assumed to be innocent until proven guilty with regard to rule infractions.	5	4	3	2	1
32. Many students do not feel that they are physically safe while at school.	5	4	3	2	1
33. Some students have protested to the administrators about what they regard as inappropriate or poor instruction.	5	4	3	2	1
34. Areas are not provided where students may assembly peaceably, outside regular class time, to discuss and consider issues of concern to them.	5	4	3	2	1
35. This school provides opportunities in some phase of the regular classwork for students to learn what their rights and responsibilities are as citizens in relation to the Bill of Rights.	5	4	3	2	1
36. Most of the teachers don't care to use students' suggestions.	5	4	3	2	1
37. This school is attempting to increase participation by racial minority students in all of its programs and activities.	5	4	3	2	1
38. This school has regulations which infringe on the students' manner of dress and appearance.	5	4	3	2	1
39. Lockers are not searched, except under extreme circumstances, unless permission to do so has been given by the student.	5	4	3	2	1
40. Teachers and administrators physically punish students.	5	4	3	2	1
41. When discussing controversial issues, teachers require pupils to state the sources of their statements of "facts."	5	4	3	2	1
42. Consideration is not given to student grievances by the administration.	5	4	3	2	1
43. Neither the administration nor teachers "bargain" with students to get them to disclose information which might implicate them.	5	4	3	2	1
44. Opportunities are not provided in regular classwork for understanding the need for self and group controls necessary for the protection of individual rights.	5	4	3	2	1
45. Most teachers provide students with additional help on an individual basis when needed.	5	4	3	2	1
46. Most black students feel "left out" of certain clubs, activities, and courses because of their race.	5	4	3	2	1

	Strongly agree (SA)	Generally agree (GA)	Undecided (U)	Generally Disagree (GD)	Strongly Disagree (SD)
47. Most white students feel "left out" of certain clubs, activities, and courses because of their race.	5	4	3	2	1
48. Faculty includes persons of both sexes and with different racial and cultural backgrounds.	5	4	3	2	1
49. Most students whose parents do not have high incomes feel discriminated against in this school.	5	4	3	2	1
50. Many teachers seem afraid to teach controversial issues or problems.	5	4	3	2	1

Appendix C

AN ATTITUDE SCALE TO DETERMINE
THE ATTITUDE OF TEACHERS AND SCHOOL ADMINISTRATORS
TOWARD THE HUMAN RIGHTS OF
STUDENTS IN PUBLIC SCHOOLS

ADAPTED FROM AN INSTRUMENT PREPARED BY
A JOINT PROJECT SPONSORED BY
APPALACHIAN STATE UNIVERSITY AND THE
PHI DELTA KAPPA TEACHER EDUCATION
PROJECT ON HUMAN RIGHTS

Instructions:

You are to respond to the following attitude items by noting that you:

SA — strongly agree

A — agree

N — have no feeling

D — disagree

SD — strongly disagree

After reading each statement carefully, place a ($\surd$) check mark beside the item under the appropriate symbol.

Example:

SA	A	N	D	SD	Blacks are as intelligent as white people.
	$\surd$				

In general follow these definitions of response alternatives:

SA— I almost always agree with this statement; or in almost all instances, this statement is true.

A— I frequently am in agreement with this statement; or more often than not, this statement is true.

N— This statement is neither true nor false, or, the evidence indicates that this statement is true about half the time and false about half the time.

D— I frequently am in disagreement with this statement, or more often than not, this statement is false.

SD— I almost always disagree with this statement; or in almost all instances this statement is false.

If you do not have sufficient information to respond, then leave the item BLANK. A BLANK will mean insufficient information. Please try to answer all items.

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DO NOT BEGIN UNTIL INSTRUCTED TO DO SO

SA	A	N	D	SD	Statement
					1. Every student should be treated with respect by his teachers and his individual identity and worth protected.
					2. A student's privacy must be protected by the school during any interrogation or investigation.
					3. The student has a right to know the kinds of information that are contained in his cumulative folder.
					4. Students should be significantly involved in the formulation and adoption of policies relating to school disciplinary actions.
					5. Students and teachers should feel free to develop friendly and open relationships that will help supplement classroom instruction.
					6. Standardized test scores made by students should be divulged only to them or their parents.
					7. Students should have complete freedom, individually and collectively, to express their views or dissent on school policies without fear of reprisal.
					8. The school librarian should serve as a censor to keep controversial books from library shelves.
					9. Whenever students speak out or petition for some hearing, they should be given an attentive ear.
					10. Minority ethnic groups in the school should be insured representation in the student government, as cheerleaders, majorettes, and as class officers in proportion to their ration in the total school enrollment.
					11. Student questioning of the value of long-cherished school programs is one of the most promising phenomenon in education today.
					12. Compulsory school attendance is necessary in our modern, complex society.
					13. The private views of students expressed in research papers or in answer to controversial open-ended questions should be held in confidence by the teacher.
					14. Ability grouping is just another form of segregation and demeans those who are placed in lower ability groups.
					15. A student who continues to misbehave, after sufficient warning, should have his grade lowered by the teacher.
					16. Counselors should not tape interviews with students without their knowledge or consent.
					17. The student who is questioned by school authorities has the right to remain silent and to refuse to answer any question which might incriminate him in any way.
					18. In all proceedings against him, the student is entitled to counsel and should be advised of his rights to have such counsel.
					19. The faculty alone should have the right to determine the qualifications for student offices and to decide who qualifies.

SA	A	N	D	SD	Statement
					20. The school principal should exercise his authority, if he chooses, to declare a student election null and void.
					21. No child should be required to inform on his classmates by taking names of those misbehaving when the teacher is out of the room.
					22. School policies should be printed in the student handbook and distributed to the students without cost.
					23. A well-rounded cocurricular program open to all is a strong deterrent against student unrest.
					24. Interested and concerned teachers are the school's best insurance against poor morale.
					25. Christmas decorations reflecting traditional religious themes should be barred from all public schools.
					26. The school board should not be concerned with the personal political, religious, or economic beliefs of teachers or students.
					27. The wearing of arm bands, buttons, or other emblems of protest should be prohibited by the school.
					28. The student newspaper should be available and responsible for the "open" discussion of problems and issues pertaining to the school.
					29. Pending the outcome of an investigation, the right of a student to be present on the campus and to attend class should not be denied.
					30. Without specific authorization by the student or his parents, no investigative agency should have access to a student's cumulative record.
					31. There should be freedom within the classroom at all times to express opposing views on all subjects by all individuals.
					32. The school newspaper should be free to present responsible student views and criticisms of school policies.
					33. Honor societies, e.g., Beta Club and National Honor Society, should be barred from school campuses because they create an academic elitism or snobbery which is bad for school morale.
					34. Written reports and examination papers should be returned to the student in private or in a private manner.
					35. Black studies should be provided in every school where black students are enrolled.
					36. Student petitions to the principal should be ignored.
					37. Sex education should be the responsibility of parents, not the school.
					38. Parents have a right to know if their children are involved in any difficulties with school authorities.
					39. The school counselor should not repeat information given to him in confidence by a student.
					40. In any hearing before a disciplinary board, the student should be afforded a chance to present witnesses and evidence in his behalf and to question witnesses appearing against him.

SA	A	N	D	SD	Statement
					41. Education should be individualized as much as possible, as every student is a unique person.
					42. To be eligible for class office, a student should have a minimum academic over-all average of C.
					43. No student, without knowledge and permission of his parents, should be referred to any clinic or outside agency such as mental health.
					44. In the school's curriculum, management, and reward system, girls are more heavily favored than boys.
					45. Unworkable or unenforceable rules should be changed, with students having a major voice in recommending alternatives.
					46. An open mind, a sense of humor, and a warm smile are a teacher's best aid in maintaining a good classroom atmosphere.
					47. Students as well as faculty should be invited to serve on curriculum revision study committees.
					48. Paintings of a religious nature should be removed from public schools.
					49. A student's dress correlates with his behavior and attitude toward school.
					50. The singing or playing of "Dixie" or "We Shall Overcome" should be forbidden at all school functions.
					51. The American system is superior to all others.
					52. Students should have a clearly defined way to participate in the formulation and application of policies affecting academic and student regulatory matters.
					53. A student should enjoy the same freedom of speech, peaceful assembly, and petition as other citizens in our society.
					54. Parents should know the standards of behavior expected of their children by schools.
					55. *Tom Sawyer, Huckleberry Finn, Uncle Remus, Oliver Twist,* and other literary works with racial overtones should be removed from library shelves.
					56. Only with the student's or his parents' permission should the student's record, or any portion of it, be made available to persons outside the school.
					57. Whenever possible, the student should have the privilege of choosing the class section he will be in and the teacher who will teach him.
					58. Student organizations should be free to invite speakers of their choosing to speak on campus without being impeded by school authorities.
					59. Personality and interest inventory results, along with standardized test scores, should be reported to the student confidentially.
					60. Married students should be restricted from holding student offices or participating in cocurricular activities.

SA	A	N	D	SD	Statement
					61. The school board should refuse to review petitions or to hear protest groups from the school.
					62. Some avenue of appeal should be provided to the student who questions the validity of the final grade given in a course.
					63. Cocurricular activities should be held during the school day and should be open to all without the charging of fees.
					64. Intelligence tests violate a student's right of privacy.
					65. The role of student government, its general and specific responsibilities, should be spelled out and made explicit by the school administration.
					66. Dress codes are often not enforceable and constitute a violation of the student's right of self-expression.
					67. A student who refuses to say the Pledge of Allegiance is unpatriotic and should be castigated openly for his lack of patriotism.
					68. In planning the school menu, the dietary habits of certain religious sects should be taken into consideration.
					69. Schools should discourage interracial dating, courting, and other forms of social integration.
					70. The ban on school prayer and Bible reading in schools is one of the causes of present unrest.
					71. Every student should be encouraged to feel a sense of pride in his ethnic heritage.
					72. Students suspended from school should be permitted to make up the tests or other work given during their suspension.
					73. Behavior as well as academic marks should be considered in determining a student's qualifications to hold school office.
					74. Corporal punishment demeans the person and is not a deterrent of future misbehavior.
					75. Every child who attends school, regardless of race or socioeconomic status, should be treated and received with respect by secretaries.
					76. The school principal should never conduct a search without good cause and then only in the presence of the student.
					77. If charged with some infraction, the student should be advised specifically of the infraction of which he is charged, with full particulars along with the names of persons making the accusation.
					78. Minority groups have a right to proportionate representation on the faculty of teachers, counselors, coaches, and administrators.
					79. Students have a right to petition to the school board for the removal of harsh, unfair, or unworkable policies.
					80. Ministers in the community should be invited to speak at student assemblies on moral and spiritual matters.
					81. A student who argues or disagrees with the teacher should be put in his place as quickly as possible.

SA	A	N	D	SD	Statement
					82. Students should be free from harassment by school officials, and no student should be coerced into an admission of guilt or forced to testify against his fellows.
					83. The length of a student's hair should not prevent him from representing the school as a member of the debate team, athletic teams, or marching band.
					84. As long as the rights of others are not violated, the student should have the right to protest and demonstrate against unfair or discriminatory rules.
					85. In school and out, the student should be free to affiliate and organize for educational, political, or cultural purposes.
					86. Names and grades should not be posted by the teacher.
					87. Girls who are pregnant should be dropped from school.
					88. A student has the right to choose his friends and associates from the various members of his class.
					89. It would be wise to keep the number of school rules and regulations to a minimum.
					90. Students should have an opportunity to become acquainted with the contributions of famous Americans who come from minority groups.

I—ANNOTATED BIBLIOGRAPHY

1. Materials Relating to Specific Rights

_____ ."The Authority Crisis in Our Schools" Washington: National Association of Secondary School Principals, No. 352, February 1971.

Publication is devoted to articles on student-teacher rights. Some of the rights to which this Bulletin is addressed are: due process; freedom of religion; privacy-locker searches; distribution of literature; academic freedom; and classroom teachers' rights and students' rights under the constitution and state law. Cost $2.00. NASSP.

_____ . *Combatting Undemocratic Pressures on Schools and Libraries: A Guide for Local Communities.* New York: American Civil Liberties Union, February 1964.

Addressed to individuals who find themselves beset and bewildered by the sudden descent upon their community of persons who demand immediate and drastic changes in school curriculum, library policies, and personnel. Cost 10 cents. ACLU

_____ . "Discriminating Against the Pregnant Teacher." *Today's Education,* December 1971. Reprinted by NEA DuShane Emergency Fund Division, April 1973.

Reviews court rulings dealing with the application of tenure and maternity leave policies to pregnant teachers. The reprint has updated cases through February 15, 1973.

Andrews, Amour Jean. *School Personnel and the Right of Privacy.* Unpublished doctoral dissertation, Norman, Oklahoma. University of Oklahoma 1973.

Divoky, Diane. "A Teacher's Guide to Student Rights." *Scholastic Teacher Junior/Senior High Teachers Edition.* October 1972.

This article seeks to develop understanding regarding basic concepts of in loco parentis, "substantial disruption," and due process. It also attempts to increase awareness of sensitive student rights areas of dress and hair codes, corporal punishment, free expression, Pledge of Allegiance, and student records.

Fortas, Abe. *Concerning Dissent and Civil Disobedience.* New York: The New American Library, 1968.

A statement of basic legal principles about dissent and how it may properly and effectively be expressed.

_____ . *Judgment: Supreme Court Case Studies.* Washington, D.C.: Civil Education Service, National Council of Social Studies, 1963-1967.

A series of case studies on current decisions handed down by the Supreme Court. Case studies on human rights are:

"Right to Legal Counsel" — (Gideon Case)
"Privilege Against Self-Incrimination" — (Malloy Case)
"Fair Trial v. Free Press" — (Estes Case)
"Due Process and the Juvenile Court" — (Gault Case)

Cost 15 cents. Civil Education Service.

_____ . *A Legal Memorandum.* Washington: NASSP, 1969-75.

A Legal Memorandum is published periodically by NASSP to provide administrators with a background of legal opinions in sensitive areas of school-student relationships. The following Memoranda have been published to date:

(1) The Regulation of Student Hair Styles, November 1969.
(2) The Confidentiality of Pupil School Records, September 1971.
(3) Student Publications, October 1971.
(4) Smoking in the Public Schools, March 1972.
(5) Student Marriage and Pregnancy, January 1973.
(6) Search and Seizure: Right to Privacy, March 1973.
(7) Non-Student Use of School Property, April 1973.

(8) The Legal Status of the Principal, September 1973.
(9) The Administrator's Right to Continuing Employment, September 1973.
(10) The Age of Majority, January 1974.
(11) School Communications: Duties and Dangers, April 1974.
(12) Gender and Sexual Mores in Educational Employment, November and December 1974.
(13) Negligence—When is the Principle Liable, January 1975.

_____ . *NOLPE Monograph Series.* (Five Monographs described separately below.) Topeka, Kansas: National Organization on Legal Problems of Education, 1970-72.

Monograph No. 1, Legal Aspects of Control of Student Activities by Public School Authorities. E. Edmond Reuter, Jr.

Focuses on relatively recent cases that reaffirm, amplify, or extend firmly entrenched constitutional and common-law principles undergirding our public educational system.

Monograph No. 2, Rights and Freedoms of Public School Students: Directions from the 1960s. Dale Gaddy.

Discusses the legal limitations or modifications that school officials can place on rights and freedoms of students.

Monograph No. 3, Suspensions and Expulsions of Public School Students. Robert E. Phay.

Specifies the types of student conduct for which a school may legally suspend or expel this student. Offers several recommendations for schools to follow in partial fulfillment of due process requirements.

Monograph No. 4, Legal Aspects of Crime Investigation in the Public Schools. William G. Buss.

Surveys the methods used to investigate and prevent crime in school and examines some of the possible legal claims students might make in objection to those methods.

Monograph No. 5, Legal Aspects of Student Records. Henry E. Butler, Jr.; K. D. Mora; and Floyd A. Vanderpool, Jr.

Discusses the legal problems associated with the collection and use of information about students by public elementary and secondary schools.

Nolte, Chester M. "The Do's and Don't's of Due Process." *American School Board Journal.* Series begins in July 1971 and concludes in December 1971 issue.

A series of articles dealing with the tough new problems that school boards face in student unrest, dissent, disruption, and confrontation. Dress codes are dealt with in the August issue, while freedom of expression, discipline and control, formal machinery for communication, and due process are the order of emphasis in subsequent issues.

Sinowitz, Betty E. "The Teacher's Right to Privacy." *Today's Education,* November-December 1973. pp. 89-92.

The discussion of the court's rationale expressed in opinions dealing with the behavior of teachers outside the classrooms should prove helpful to administrators and boards in their efforts to clarify bases of action in this hazy area.

_____ . "Court Rulings on the Teacher's Right to Speak Out." *Today's Education,* September-October 1973, pp. 50-60.

Snider, Glenn R. "Bible Reading and Prayers . . . Some Guidelines for School Behavior." *Phi Delta Kappan,* June 1967.

Guidelines relating to the 1963 decision of the Supreme Court on school prayers and Bible reading and the position of public schools in a pluralistic society.

_____ . "The Equality Concept in Education: Can It Be Achieved?" *The Oklahoma Teacher,* November 1969.

Identifies public school and classroom barriers to equal educational opportunity and outlines behaviors consistent with this concept.

_____. *Resource Center on Sex Roles in Education: Research Action Notes.* Washington, D.C. National Foundation for Improvement of Education.

Includes reports on current research, news items, conferences, and resource materials dealing with sex bias and its effect on educators, students, instruction, etc.

A useful and practical source of information for administrators, teachers, and counselors. Available from National Foundation for Improvement of Instruction, Suite 918, 1156-15th St., N.W., Washington, D.C. 20005.

2. Guidelines, School Codes, How-To-Do-It Materials

Ackerly, Robert T. *The Reasonable Exercise of Authority.* Washington: NASSP, 1969.

Examines some specific areas of student activity to illustrate application of broad concepts of student rights.

Baernstein, Saul W.; Cohen, Mary D.; and James, Deborah. *Teenagers' Rights and Responsibilities.* Silver Springs, Maryland: The Institute for Behavioral Research, 1971.

Relates human-student rights to law and the legal processes. Emphasizes the development of teenager problems avoiding and problems solving skills. Designed as a complete battery of classroom materials, it is available through the Educational Facility Press.

_____. *Bill of Rights Newsletter.* Los Angeles: Constitutional Rights Foundation.

Designed for use in the classroom, it deals with constitutional issues of current interest and provides teachers and students with information and recent Supreme Court decisions. Past issues have focused on: "The Power of a Free Press," Fall 1973; "Crime, Violence, and American Youth," Spring 1973; "Sex and Equality," Fall 1972; "Youth and the Right to Vote," Spring 1972.

Annual subscriptions are $3.00 and available from Constitutional Rights Foundation, 609 S. Grand Avenue, Los Angeles, California, 90017.

Cohen, Oscar and Noar, Gertrude. *Behind the Headlines, A Program Technique for Studying Intergroup Relations.* New York: Anti-Defamation League of B'nai B'rith, 1964.

Suggests an approach to sensitize students to the practice of discrimination. Portrays how prejudice against ethnic and racial groups stand in glaring contradiction to the rights and liberties guaranteed by the Constitution. Cost 35 cents. ADL

Cohen, William; Schwartz, Murray; and Sobul, DeAnne. *The Bill of Rights. Vol. I, A Source Book; Vol. II, A Teachers Handbook.* New York: Benziger Bros., 1970.

Two volumes—one containing the substantive material on constitutional law, the other concentrating on teaching strategies and classroom application.

_____. *Equal Rights—An Intergroup Education Curriculum.* Harrisburg, Pa.: Office of Equal Rights, Bureau of Curriculum Services, Pennsylvania Department of Education, 1974.

Provides a total curriculum approach to intergroup education as a means of fostering positive relationship between individuals and groups possessing diverse backgrounds and origins. A practical guide offering objectives, strategies, and resources for implementing intergroup education in each of the following content areas: arts; early childhood education; health and physical education; industrial arts; language arts; mathematics; science; and social studies.

Of special interest to administrators is the section which describes "signals" which may aid in assessing the total school environment and specific activities for improvement.

Fox, Schmuck, Egmond, Ritvo, Jung. *Diagnosing Professional Climate of Schools.* Fairfax, Virginia: NTL Learning Resources Corp., Inc. 1973.

Includes instruments and discusses techniques for assessing and improving the quality of interpersonal relationships in the school.

Gibson, William M. *Lessons in Conflict: Legal Education Materials for Secondary Schools.* Boston: Law and Poverty Project, Boston University School of Law, 1971.

Presents model teaching units for a course in legal education relevant to the needs and experiences of youth. A list of suggested resource materials is included.

_____. *Great Cases of the Supreme Court.* Boston: Houghton Mifflin Co., 1971.

Designed to complement courses in American history, it utilizes an inquiry approach to the study of basic values which are part of the American heritage.

_____. *Guidelines for the Collection, Maintenance and Distribution of Pupil Records.* An exceptionally fine work addressing itself to pertinent questions of privacy as it relates to student records. Cost 50 cents. RSF.

_____. *Guidelines for Control of School Behavior and Student Participation in School Life.* Preliminary edition. Office of the Superintendent, Dallas, Texas, 1972-1973.

Emphasizes that responsibility of enforcement of school rules and regulations rests with the personnel.

Haberman, Martin. "Students' Rights: A Guide to the Rights of Children, Youth, and Future Teachers." Washington, D.C.: Association of Teacher Educators, 1973.

Through an examination of court decisions this paper summarizes the rights of students in elementary and secondary schools, explores the extension of those rights to student teachers, and concludes with a bill of rights for future teachers.

Hall, Brian P. *Values Clarification As Learning Process, A Guidebook.* Paulist Press, 1973.
Includes basic values theory in addition to exercises and strategies in values clarification.

Haller, Elizabeth S. *American Diversity.* Harrisburg: Bureau of Curriculum Services, Pennsylvania Department of Education, reprinted 1973.

This is an extensive, annotated bibliography of books, periodicals, and audiovisual materials on racial and ethnic minorities. Compiled for use in the Pennsylvania public schools, it contains materials appropriate for use in preschool through college, as well as teacher reference.

_____. *High School Student Unrest.* Washington: Education U.S.A., Special Report, 1969.

Survey of causes of student unrest with practical suggestion for channeling activism and protecting student rights. Cost $3.60. National School Public Relations Association.

Hines, Paul D. and Woo[illegible] Leslie. *A Guide to Human Rights Education.* Bulletin 43. Washington: National Council for Social Studies, 1969.

Discussions on the history of human rights along with ideas for the teaching of same. Excellent bibliography. Cost $2.25. NEA.

Kleeman, Richard P. *Student Rights and Responsibilities: Courts Force Schools to Change.* Washington: Education, U.S.A., Special Report, 1972.

Examines some of the changes coming about in our schools as a result of recent court decisions. Contains information about the progress of various states in student rights along with sample local policies, dress codes, and handbooks. Cost $4.00. NSPRA.

Knight, Richard S. *Students' Rights: Issues in Constitutional Freedoms.* Boston: Houghton Mifflin Co., 1974.

Designed for use in the secondary schools, it examines the concept of freedom in terms of rights and concomitant responsibilities. Questions related to specific issues and incidents are designed and arranged to encourage a rational approach to decision making.

Longaker, Richard P. and Quigley, Charles N. *Voices for Justice.* Boston: Ginn and Company, 1970.

Explains ways to provide instructional programs which will increase students' knowledge of themselves and their role in a democratic culture.

Noar, Gertrude. *Civil Rights and Civil Liberties: A Resource Unit for Teachers.* New York: ADL, 1967.

Practical suggestions for the development of a unit of study to inform students of their rights and liberties along with the sources of such rights and liberties. Valuable suggestions for learning and culminating activities.

Parker, Donald; O'Neil, Robert M.; O'Neil, Karen; and Econopouly, Nicholas. *Civil Liberties Today.* Boston: Houghton Mifflin Co., 1974.

Hypothetical case studies reveal how individual rights become involved in everyday occurrences. Each group of cases is followed by a discussion of the constitutional background and relevant Supreme Court decisions.

Rubin, David. *The Rights of Teachers.* New York: Avon Books, 1972.

Specific questions are raised concerning teachers' rights. Court cases are cited to provide support for answers where an answer to a question can be given. For questions not yet answered by the courts some information and related cases are cited. An excellent bibliography of cases is presented after each chapter.

Rubin, David. "A Guide to Teachers' Rights." *Scholastic Teacher.* January 1973.

In this article, the Deputy General Counsel of the NEA reviews the major court decisions which have affected the extension of constitutional rights to teachers.

Seagraves, Roy W.; McDaniel, Henry B.; and Truce, Betty A. *You Can Change the Law,* and *Juveniles Have Rights Too.* Belmont, California: Fearon Publishers, 1973.

Self-contained units built around case studies in the law focus on problems that young Americans may encounter.

Simon, Sidney B.; Howe, Leland; and Kirschenbaum, Howard. *Values Clarification: A Handbook of Practical Strategies for Teachers and Students.* Hart Publishing, 1972.

A widely used and popular guide which takes a "how-to-do-it" approach. Seventy-nine methods which teachers may use to aid students in evaluating and understanding their values are described in detail.

Snider, Glenn. *Bible Reading and School Prayers—Some Guidelines for School Behavior.* Norman, Oklahoma, Southwest Center for Human Relations Studies, University of Oklahoma, 1965.

Suggests defensible guidelines which should prove helpful to school administrators and boards of education as policies are developed in the public school.

_____. *Student Involvement.* Raleigh, N.C. Task Force on Student Involvement, 1971.

Recommends specific courses of action to administrators and students in the development of a positive program of student involvement.

_____. *Student Rights and Responsibilities.* Washington: Office of Youth and Student Affairs; Department of Health, Education, and Welfare, 1972.

A summary of the major areas of concern in student rights. Most valuable is a descriptive bibliography of the resource materials. Included in the bibliography are: 1) a summary of supportive court decisions; 2) a section on how to draft a student code; 3) sample codes; 4) a list of resources: where to get help; 5) a list of professional contacts; and 6) a section on student rights publications and materials and research. OYSA has completed a survey on student rights and will make the results of this survey available on request.

_____. *Students Rights and Responsibilities.* Philadelphia: Pennsylvania School Boards Association, Inc., 1971.

Discusses the overall issue of student rights and responsibilities with a brief review of the legal framework in which school districts operate. Chapter two provides an example of how the Philadelphia School District devised a Student Bill of Rights and Responsibilities.

_____. *Student Rights Handbook for New York City.* New York: Student Rights Project, ACLU, 1971.

Prepared for students and parents of the New York City Public School System. Copies available from the Student Rights Project, New York Civil Liberties Union.

_____. *Student Rights Litigation Packet.* Cambridge: Harvard University Center for Law and Education, Revised Edition, April 1972.

Designed to be of assistance to legal service attorneys who are, or who are about to be, active in the area of human rights in the secondary schools. Excellent source for court decisions. Cost $6.00. Harvard University Center for Law and Education.

Wilkinson, Sylvia and Campbell, Ed (ed.) *Change: A Handbook for the Teaching of Social Studies and English.* Chapel Hill, North Carolina: Learning Institute of North Carolina Press, 1973.

Presents detailed teaching units on human rights, war, technology, the student, comparative governments, and the arts. The bibliography includes materials on gaming and other student-centered activities.

3. Basic References:

_____. *Bibliography of Law-Related Curriculum Materials.* Chicago: Committee on Youth Education for Citizenship, 1974.

Available free from the American Bar Association, Committee on Youth Education for Citizenship, 1155 West 60th, Chicago, Illinois, 60637.

Chanin, Robert H. *Protecting Teacher Rights, A Summary of Constitutional Developments.* Washington: NEA, 1970.

Focuses on the main sources of constitutional protection for teachers. Freedom of expression and association as outlined in the First Amendment and the due process and equal protection clauses of the Fourteenth Amendment.

_____. *Combatting Discrimination in the Schools: Legal Remedies and Guidelines.* Washington, D.C. NEA, 1973.

Provides the reader with an explanation of major federal legislation and regulations prohibiting racial and sexual discrimination in educational institutions and programs.

Dorsen, Norman. *The Rights of Americans, What They Are—What They Should Be.* New York: Pantheon House, 1971.

A comprehensive and probing analysis of individual rights in the United States. The thirty-one essays on human rights range from the rights of due process and free expression through the rights of consumers to the controversial liberties to use of alcohol and drugs.

_____. *Emerging Problems in School Law.* Topeka, Kansas: NOLPE, 1971.

Contains two worthwhile sections on student rights. In Part I, The Courts and Student Rights—Substantive Matters, Ronald Sealey identifies some of the factors that may have a bearing on changing a right from an abstract to a concrete form. In Part II, The Courts and Student Rights—Procedural Matters, Robert Phay suggests several steps schools should take in areas of due process.

_____. *Federal Laws and Regulations Concerning Race and Sex Discrimination in Educational Institutions.* Washington, D.C. NEA, June 1973. NEA Stock No. 385-11700.

A chart outlining the provisions and requirements of federal laws and regulations. Describes procedures for filing complaints.

Fontana, Joseph and Lawton, Mary C. *These Unalienable Rights: A Handbook of the Bill of Rights.* Washington: Council on Younger Lawyers of the Federal Bar Association, 1968.

Written to inform the average non-legal oriented citizen of the Bill of Rights.

Howe, Harold; et. al. *Racism and the American Education: A Dialogue and Agenda for Action.* New York: Harper and Row Publishers, Inc., 1970.

In its final report to President Nixon, the Commission for the Observance of Human Rights Year concluded that there is need to increase instruction in the concepts of human rights at all levels of the educational system.

Hudgins, H.C., Jr. "Action Not as Heavy on Student Rights." *Nations Schools.* Vol. 87, No. 3, March 1972.

A review of 1971 litigation in traditional areas of student freedom.

_____. *Human Rights . . . Unfolding of the American Tradition.* Washington: U.S. Department of State, U.S. Government Printing Office, 1960.

A selection of documents and statements that have "set human beings free over the centuries."

Knowles, Laurence W. "Student Rights Find a Friend in Court(s)." *Nations Schools.* Vol. 87, No. 3, March 1971.

Discuss student rights as construed in the Watershed *in re. Gault* and *Tinker.*

Ladd, Edward T. "Toward an Educationally Appropriate Legal Definition of Disruptive Student Behavior." *Educational Administration Quarterly.* Fall 1971.

Deals with the kinds of student behavior alleged to be disruptive which should and should not be legally subject to control.

_____. *Layman's Guide to Individual Rights Under the United States Constitution.* Subcommittee on Constitutional Rights of the Committee on the Judiciary United States Senate. 3rd revised edition, 1972.

A guide designed to define simply and clearly the constitutional rights of American citizens in layman's terminology. Cost 40 cents. U.S. Government Printing Office.

LaMorte, Michael W.; Gentry, Harold W.; and Young, D. Parker. *Students' Legal Rights and Responsibilities.* Cincinnati: W. H. Anderson Company, 1971.

Addresses itself mainly to the area of case law and deals specifically with reported cases directly concerned with the public secondary school. Has chapters on freedom of expression, search of student lockers, and procedural due process.

Longaker, Richard P. and Quigley, Charles N. *Conflict, Politics and Freedom.* Boston: Ginn and Company, 1968.

A study of conflict in a free society; its origins, its positive functions, the limits which must be imposed on its expression, and the ways in which citizens and leaders in a constitutional system deal with it.

Patrick, John J. *Political Socialization of American Youth: Implications for Secondary School Social Studies.* Washington: National Council for the Social Studies, NEA, 1967.

_____. *The Pupil's Day in Court: Review of 1969 Research Report 1970-R-9.*

Contains state and federal court opinions published during 1969, where pupils either

in elementary or in secondary schools or students attending tax-supported institutions of higher education were litigants. Cost $2.00. NEA.

Reitman, Alan, et. al. *Corporal Punishment in the Public Schools.* New York: ACLU, 1972.
A 42-page summary of the current situation as regards corporal punishment in public schools and the psychological, educational, and legal arguments against it.

Sears, David O. and Zellman, Gail L. "Childhood Origins of Tolerance for Dissent." *The Journal of Social Issues.* Vol. 27, No. 2, 1971.
Results of a study on the way children acquire attitudes toward certain human rights.

Shain, Henry. *Legal Awareness.* San Francisco: Maverick Press, Inc., 1973.
This book, written by a practicing attorney, is designed to inform the layman about important points of law. The chapters dealing with "Juvenile Rights" and "Constitutional Freedoms" should be particularly appropriate for teachers and administrators.

Strouse, Jeanne. *Up Against the Law: The Legal Rights of People Under 21.* New York: Signet, 1971.
Covers a wide range of topics and cases relating to student rights. Resource for social studies teachers.

_____. *The Student's Day in Court: Review of 1970 Research Report 1971-R-8.* Washington: NEA, 1971.
Contains digests of 171 Court decisions concerning students. The case digests are classified under seven headings: admission and attendance; school desegregation; student discipline; student injury; religion; transportation; and miscellaneous. Cost $2.50. NEA.

_____. *The Teacher's Day in Court: Review of 1970 Research Report 1971-R-7.* Washington, D.C. NEA, 1971.
Digests of 143 court decisions concerning teachers and professional school personnel are classified under ten headings: certification and eligibility; salaries; contracts; tenure; school desegregation; teacher/school board negotiations; liability for pupil injury; retirement; civil rights; miscellaneous.

_____. *Toward Understanding Human Relations.* Baltimore: Maryland State Department of Education, 1973.
This work was developed in the belief that understanding the views of others is an important first step in improving human relations. It is a compilation of comments and reactions from randomly selected students, teachers, parents, and administrators.

Westin, Alan F. *How Students View Their Schools as Institutions in a Democratic Society and Their Perceptions of Democratic and Undemocratic Practices.* Unpublished paper. New York: Center for Research and Education in American Liberties of Teachers College, Columbia University, 1969.
Reports results of a survey of students on their perceptions of democratic practices in the public school setting.

_____. *What is Affirmative Action?* Washington, D.C. NEA, 1973.
Discusses procedures to follow and factors to be considered in the development of affirmative action programs. Contains lists of references and agencies from which assistance may be obtained.

4. Background Information and Supplemental Reading

_____. *Academic Freedom in the Secondary Schools.* New York: ACLU, 1969.

Suggests guidelines for applying the principles of academic freedom and civil liberties to the secondary school. Cost 25 cents. ACLU.

Bailey, Stephen K. *Disruption in Urban Public Secondary Schools.* Washington: NASSP, 1969.
Addresses itself to problems in our city schools as well as to student unrest in suburbs and rural areas.

Lincoln, C. Eric, (ed.) *Is Anybody Listening to Black America.* New York: The Seaberry Press, 1969.
A book on how Americans perceive themselves and their place in society, and how they perceive each other across the barrier of color.

Philips, Ethel C. *You in Human Rights: A Community Action Guide for International Human Rights Year.* New York: Publications Service UNA-USA, 1968.
Stresses the need for a human rights speed-up which becomes an on-going, sustained effort involving the community.

_____. *Report of the Task Force on Human Rights.* Washington: NEA, 1968.
Recommends positive actions that should be taken to secure human rights of educators and students.

_____. *Student Advocate.* Reston, Va., NASSP. Office of Student Activities.
Patterns of school governance, student involvement in politics and effects of recent legislation on rules which govern student behavior are among the subjects treated.
Available from NASSP, Office of Student Activities, 1904 Association Drive, Reston, Va., 22091.

Weinstien, Gerald and Fantini, Mario. *Toward Humanistic Education, A Curriculum of Affect.* New York: Praeger Publishers; published for Ford Foundation, 1971.
The present crisis in the education of poor, minority group children is forcing educators to look more closely at virtually all of their assumptions about learning and teaching, especially with the disadvantaged.

Zeigler, Harmon. *The Political Life of American Teachers.* New Jersey: Prentice-Hall, Inc., 1967.
Observations resulting from interviews with 803 high school teachers leads to some generalizations on the political orientation of teachers and its effect on the attitudes of students.

II—UNANNOTATED BIBLIOGRAPHY

(Prepared by Human Rights Task Force—University of Miami, Miami-Dade County Junior College, and Dade County School System.)

The Right:

Of Equal Opportunity.
Brown, D. *Bury My Heart at Wounded Knee.* New York: Bantam Books, Inc.
Ellison, R. *Invisible Man.* New York: New American Library.
Greenlee, S. *The Spook Who Sat by the Door.* New York: Bantam Books, Inc.
Machiavelli, N. *The Prince.* Bridgeport, Connecticut: Airmont Publishing Company, Inc.

Orwell, G. *Animal Farm.* New York: New American Library.
Orwell, G. *1984.* New York: New American Library.

Of Due Process.
Brown, D. *Bury My Heart at Wounded Knee.* New York: Bantam Books, Inc.
Clark, W. V. *Ox-Bow Incident.* New York: New American Library.
Lee, H. *To Kill a Mockingbird.* New York: Popular Library.
Montgomery, R. H. *Sacco-Vanzetti.* Belmont, Massachusetts: Western Islands.
Orwell, G. *1984.* New York: New American Library.

Of Freedom of Speech.
Bradbury, R. *Fahrenheit 451.* New York: Ballantine Books, Inc.
Orwell, G. *1984.* New York: New American Library.
Stone, P. and Edwards, S. *1776.* New York: Viking Press, Inc.

Of Dissent.
Baldwin, J. *Fire Next Time.* New York: Dell Publishing Company.
Bligh, W. *Mutiny on the Bounty.* New York: New American Library.
Cleaver, E. *Soul on Ice.* New York: Dell Publishing Company.
Greenlee, S. *The Spook Who Sat by the Door.* New York: Bantam Books, Inc.
Haley, A. *The Autobiography of Malcolm X.* New York: Evergreen Black Cat Books—Grove Press, Inc.
Mailer, N. *The Naked and the Dead.* New York: New American Library.
Orwell, G. *Animal Farm.* New York: New American Library.
Orwell, G. *1984.* New York: New American Library.
Thoreau, H. "Civil Disobedience," *Walden.* New York: MacMillan.

Of Religion.
Aluchen, S. *Tevye Stories.* New York: Pocket Books.
Dostoyevsky, F. *Brothers Karamazov.* Bridgeport, Connecticut: Airmont Publishing Company.
Greene, G. *Power and the Glory.* New York: Bantam Books, Inc.
Hawthorne, N. *Scarlet Letter.* New York: Dell Publishing Company.
Malamud, B. *The Fixer.* New York: Dell Publishing Company.
Orwell, G. *1984.* New York: New American Library.
Potok, C. *The Chosen.* New York: Crest-Fawcett World Library.
Singer, I.B. *The Slave.* New York: Avon Book Division—The Hearst Corp.

To Privacy.
Bellow, S. *Mr. Sammler's Planet.* New York: Crest-Fawcett World Library.
Bradbury, R. *Fahrenheit 451.* New York: Ballantine Books, Inc.
Hawthorne, N. *Scarlet Letter.* New York: Dell Publishing Company.
Huxley, A. *Brave New World.* New York: Perennial Library, Harper and Row, Publishers.
Orwell, G. *1984.* New York: New American Library.

To Be Different.
Faulkner, W. *Intruder in the Dust.* New York: Modern Library College Editions.
Huxley, A. *Brave New World.* New York: Perennial Library, Harper and Row, Publishers.
Ibsen, H. *Hedda Gabler.* Boston, Massachusetts: Ivy Notes.
Ibsen, H. *Three Plays.* Boston, Massachusetts: Ivy Notes.
Lawrence, J. and Lee, R. *Inherit the Wind.* New York: Pathfinder Bantam.
Lewis, S. *Babbitt.* New York: Signature. New American Library.
Melville, H. *Bartleby.* New York: Bantam Books, Inc.
Melville, H. *Four Short Novels.* New York: Bantam Books, Inc.
Miller, A. *The Crucible.* New York: Bantam Books, Inc.
Orwell, G. *1984.* New York: New American Library.

Thoreau, H. *Walden.* New York: MacMillan.
Turgenev, I. *Fathers and Sons,* New York: Amsco School Publications, Inc.
Vonnegut, K. *God Bless You, Mr. Rosewater.* New York: Delta Dell Publishing Company.

From Self-Incrimination.
Hawthorne, N. *Scarlet Letter.* New York: Dell Publishing Company.
Koestler, A. *Darkness at Noon.* New York: Bantam Books, Inc.
Orwell, G. *1984.* New York: New American Library.
Solzhenitsyn, A. *One Day in the Life of Ivan Denisovich.* New York: Bantam Books, Inc.

To Trial by Jury.
Baldwin, J. *Blues for Mr. Charlie.* New York: Dell Publishing Company.
Conrad, J. *Lord Jim.* New York: Bantam Books, Inc.
Ellison, R. *Invisible Man.* New York: New American Library.
Greenlee, S. *The Spook Who Sat by the Door.* New York: Bantam Books, Inc.
Knebel, F. *Trespass.* New York: Pocket Books.
Lee, H. *To Kill a Mockingbird.* New York: Popular Library.
Melville, H. *Moby Dick.* Bridgeport, Connecticut: Airmont Publishing Company, Inc.
Miller, A. *The Crucible.* New York: Bantam Books, Inc.
Orwell, G. *1984.* New York: New American Library.
Wright, R. *Native Son.* New York: Perennial Library, Harper and Row, Publishers.

To Security of Person.
Brown, D. *Bury My Heart at Wounded Knee.* New York: Bantam Books, Inc.
Hemingway, E. *Old Man and the Sea.* New York: Charles Scribner's Sons.
Orwell, G. *1984.* New York: New American Library.
Puzo, M. *Godfather.* New York: G. P. Putnam and Sons.
Twain, M. *Huckleberry Finn.* New York: Lancer Books.

To Petition.
Brown, D. *Bury My Heart at Wounded Knee.* New York: Bantam Books, Inc.
Dickens, C. *Hard Times.* New York: Perennial Library, Harper and Row, Publishers.
Hawthorne, N. *Scarlet Letter.* New York: Dell Publishing Company.
Ibsen, H. *A Doll's House.* Boston, Massachusetts: Ivy Notes.
Orwell, G. *1984.* New York: New American Library.
Steinbeck, J. *Grapes of Wrath.* New York: Bantam Books, Inc.

Of Freedom of Assembly.
Golding, W. *Lord of the Flies.* New York: G. P. Putnam's Sons.
Huxley, A. *Brave New World.* New York: Perennial Library, Harper and Row, Publishers.
Orwell, G. *1984.* New York: New American Library.

III—AUDIOVISUAL MATERIALS

(An annotated list of 16 mm films, filmstrips, and recordings. Each entry includes the title, pertinent technical details, a brief description of the content, and an abbreviated symbol indicating the distributor.)

1. 16 MM Film.

THE BILL OF RIGHTS IN ACTION SERIES:
Freedom of Religion. (21 min., color, BFA)
The setting is an emergency hearing arguing the constitutional issues involved in the case of a pregnant woman and her husband who have both refused, on religious grounds, a transfusion needed to save the life of her unborn baby. The film raises the question of the point at

which the interests of society outweigh the individual's constitutional right to freedom of religion.

Freedom of Speech. (21 min., color, BFA)
This film follows the case of an unpopular speaker who is convicted of disturbing the peace. Lawyers argue the constitutional issue before a court of appeal.

Due Process of Law. (21 min., color, BFA)
In the setting of a hearing to reinstate a student who has been summarily suspended after an act of violence during a campus demonstration, questions are raised regarding due process and the values surrounding it.

The Right to Privacy. (25 min., color, BFA)
Electronic surveillance by the police results in the issuance of a search warrant. The film concerns a pretrial hearing on a motion to suppress the evidence.

Equal Opportunity. (22 min., color, BFA)
Compensatory discrimination is examined when a black factory worker has been promoted over a white, even though the white has seniority. Lawyers argue the case before an arbitrator.

THE BILL OF RIGHTS SERIES:

Justice, Liberty and Law. (20 min., color, CHU)
An introduction to one of the conflicts of a free society; how our government is to enforce order while providing justice and a maximum of freedom to the individual. The film sets the Bill of Rights in an historical perspective and provides an introduction to the other films in the series.

Search and Privacy. (22 min., color, CHU)

Interrogation and Council. (22 min., color, CHU)
These two films deal with specific amendments in the Bill of Rights. In each film the conflict is made immediate by interviews with critics and supporters of recent Supreme Court rulings, with students, police, and people who feel they have suffered injustices. The films present a dramatic episode with provision to stop the projector for discussion between sequences. A very good series.

THE CONSTITUTION SERIES: (3 parts, 60 min. each, IQF)
(Suggested for mature and motivated students)
One Nation (1787-1791) deals with the drafting and adoption of the Constitution.
One Nation Indivisible (1792-1865) demonstrates the durability of the Constitution.
With Liberty and Justice for all (1866-present) shows how the Supreme Court protects the right of Americans under the Constitution.

Alienating Language. (25 min., B & W, ADL)
Simulation film which presents the danger of turning people off because of language which alienates.

Classroom Confrontations. (25 min., B & W, ADL)
A simulation film dealing with classroom confrontations growing out of violations of human rights.

Civil Rights Movement—The South. (28 min., B & W, FI)
Examines the forces that combined, after the Supreme Court's desegregation decision, to ignite

the civil rights movement in the south. Clips are shown that illustrate representative moments in the history of the protest.

The Constitution—Guardian of Liberty. (20 min., B & W, color. McGH)
Illustrates constitutional safeguards to our civil rights and liberties.

Date with Liberty. (20 min., B & W, ADL)
Among the five episodes are examples of freedom of press and the right to express dissent.

Democracy: The Role of Dissent. (13½ min., color, B & W, COR)
A group of tenants face the question of whether actions such as strikes and demonstrations are justified if legal channels for the redress of grievances fail.

Democracy: Your Voice Can Be Heard. (18½ min., B & W, color, COR)
A successful campaign by Detroit high school students for improvements at a public hospital shows how individuals can be effective in a democracy.

Due Process of Law Denied. (29 min., B & W, TFC)
An excerpt from *The Oxbow Incident* dramatizes the dangers of denying an accused person his constitutional rights.

Due Process of Law. (21 min., color, BFA)
In the setting of a hearing to reinstate a student who has been summarily suspended after an act of violence during a campus demonstration, questions are raised regarding due process and the values surrounding it.

Free Press Versus Fair Trial: The Sheppard Case. (30 min., color, EBF)
Presents the famous case of a man convicted of his wife's murder. Because of the enormous publicity surrounding the trial, he was later ordered retried and ultimately acquitted.

Freedom to Speak: People of New York v. Irving Feiner. (23 min., color, EBF)
Utilizes the case study to examine freedom of expression.

The Great Rights. (14 min., color, BF)
Lively animation of what could happen if the Bill of Rights were revoked.

Heritage. (10 min., color, ADL)
An animated cartoon on human rights, moral values, and the relationship between rights and responsibilities.

How to Lose What We Have. (12 min., B & W, AEF)
Demonstrates how dictators take over when citizens shirk their responsibilities.

Justice Black and the Bill of Rights. (32 min., B & W, color, BAIL)
(Suggested for highly motivated students)
Among the subjects Justice Black discusses is the possible conflicts between constitutional law and morality and between police powers and the rights of the accused.

Justice Under Law: The Gideon Case. (23 min., color, EBF)
This landmark case provides the backdrop for analyzing the roles of due process, right of appeal, and the right to counsel in securing justice for the accused.

Mightier Than the Sword: Zenger and Freedom of the Press. (23 min., B & W, TFC)
Describes the famous case which established the principle that publishing the truth is not libel.

National Citizenship Test. (51 min., B & W, 2 parts, McGH)

Opens with a series of questions concerning governmental structure, and illustrates our fundamental rights under the First and Fifth Amendments.

Of Human Rights. (20 min., B & W, ADL)
The United Nations Declaration of Human Rights is the basis for this discussion of persecution and the flouting of human rights.

Our Basic Civil Rights. (12½ min., B & W, color, COR)
Details our fundamental liberties as defined in law.

Our Living Constitution. (11 min., B & W, color, COR)
Explains the importance of the Constitution in guaranteeing individual rights and freedoms, in protecting the interests of society, and in changing to meet the needs of the times.

President Kennedy Speaks on the Bill of Rights. (4 min., B & W, TFC)
An address on the history and significance of the Bill of Rights, filmed shortly before his death.

Profiles in Courage—Anne Hutchinson. (2 reels, 25 min. each, B & W, IQF)
Portrays the struggle of Anne Hutchinson for religious tolerance and freedom of conscience in colonial New England.

Profiles in Courage—General Alexander William Doniphan. (2 reels, 25 min. each, B & W, IQF)
A newly commissioned officer refuses to obey his superior's order to execute the Mormon leader, Joseph Smith, thus risking the consequences of insubordination rather than violating his own conscience and views of religious freedom.

Profiles in Courage—Prudence Crandall. (2 reels, 25 min. each, B & W, IQF)
A New England school teacher, accepting only her conscience as her guide, insists on the right to an education of every American child, regardless of race.

Right to Be Let Alone: The Mapp Case. (30 min., color, EBF)
Discusses searches and seizures and whether evidence found in an illegal search and seizure is admissible in a state court as well as in a federal court.

Rock in the Road. (6 min., color, BFA)
This animated film presents a brief story which may be used to stimulate discussion of moral and ethical values. There is no narration or dialogue. A man coming down the road trips over a rock and plunges into a hole. As he emerges he spots someone else coming. He quickly replaces the rock and hides, laughing as the second man also falls into the hole. The second man sets up the accident for a third and the third for a fourth. But the fourth man removes the rock, fills in the hole, and goes away happy. An excellent film.

Rules and Regulations. (25-30 min., B & W, ADL)
Simulation film shows how school rules and regulations may very seriously disrupt and interfere with the orderly process of teaching.

2. Filmstrips.

American Decades. (series title) (color, sound, FSH)
In the 1950s set, The Struggle for Human Rights highlights such topics as the Supreme Court's decision on school desegregation. In the 1960s set, the Struggle for Human Rights deals with race riots, freedom marches, new legislation, Supreme Court decisions, and the duties of responsible citizenship.

Bill of Rights Series. (color, IFB)
Discusses the events and developments which made the first Ten Amendments necessary and which require their continued enforcement today. Individual titles are:

The First Amendment.
The Fourth Amendment.
The Fifth Amendment.
The Sixth Amendment.
The Eighth Amendment.

The Fight for Our Rights. (color, sound, SCHLT)
Documents the changing interpretations applied to eight of the freedoms covered by constitutional amendments. Titles in set one are:

Freedom of the Press.
Freedom of Religion.
The Right of Peaceful Assembly.
The Right to Go to School.

Titles in set two are:

The Right to Bear Arms.
The Right to Counsel.
The Right to Vote.

Justice and the Law. (color, sound, PEF)
Takes an open-ended approach to reveal the changes inherent in the constant search for justice. Involves students as judges in outstanding Supreme Court cases dealing with man's constitutional rights.

Law and Order. (series title) (color, sound, SCHLT)
Takes a close look at the sources of the democratic system in America and the disparity between the theory and practice of individual rights. Titles are:

How Laws Develop.
Individual Rights: The Theory.
Individual Rights: The Practice.
Non-Violent Dissent.
Violent Dissent.
The Establishment Responds.

Our Heritage of Freedom. (color, captions or sound, EGH)
Tells of the men and women who transformed democratic precepts into a living example and a workable way of life. The following are appropriate:

Our Heritage of Freedom.
The Meaning of Democracy.
Making Democracy Work.

3. Tapes

Jefferson Heritage. (series title) (30 min. each, TAPE)
Analyzes the growth and development of individual and civil liberties in the United States, as Jefferson might have viewed them. The following titles are appropriate:

The Danger of Freedom.
Freedom of the Press.
The Ground of Justice.
Light and Liberty.
The Living Declaration.
To Secure These Rights.

SOURCES OF CONTACT

1. General Purpose Contacts

ABA American Bar Association
1155 E. 60th Street
Chicago, Illinois 60637

ACLU American Civil Liberties Union
22 E. 40th Street
New York, New York 10016

Civic Education Service
1733 K Street, N.W.
Washington, D.C. 20006

Harvard Social Studies Project
Harvard University Center for Law and Education
38 Kirkland Street
Cambridge, Massachusetts 02138

The Journal of Social Issues
The Society for Psychological Study
Box 1248
Ann Arbor, Michigan 48106

NASSP National Association of Secondary School Principals
NCSS National Council of Social Studies
NEA National Education Association
NSPRA National School Public Relations Association
1201 Sixteenth Street, N.W.
Washington, D.C. 20036

NOLPE National Organization on Legal Problems of Education
825 Western Avenue
Topeka, Kansas 66606

Phi Delta Kappan
8th and Union
Bloomington, Indiana 47401

Scholastic Teacher Junior/Senior High Teachers Edition
50 W. 44th Street
New York, New York 10036

USNSA College Law Bulletin
United States National Student Association
2115 S. Street, N.W.
Washington, D.C. 20008

United States Government Printing Office
Washington, D.C. 20402

Office of YOU and Student Affairs
Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

WCOTP Education Panorama
World Confederation of Organizations of the Teaching Profession
5, chemin du Moulin, 1110 Morges,
Suisse

Yale Law School
Legal Services Organization
New Haven, Connecticut 06520

2. Audiovisual Contacts

ADL Anti-Defamation League of B'nai B'rith
315 Lexington Avenue
New York, New York 10016

AEF American Economic Foundation
51 East 42nd Street
New York, New York 10017

BF Brandon Films, Inc.
200 W. 57th Street
New York, New York 10019

BFA Educational Media
2211 Michigan
Santa Monica, California 90404

BAIL Bailey-Film Associates
11559 Santa Monica Boulevard
Los Angeles, California 90025

CHU Churchill Films
662 N. Robertson Boulevard
Los Angeles, California 90069

COR Coronet Films
65 E. South Water Street
Chicago, Illinois 60601

EBF Encyclopedia Britannica
Educational Audiovisual, Inc.
Pleasantville, New York 10570

EGH Eye Gate House, Inc.
146-01 Archer Avenue
Jamaica, New York 11435

FI Films Incorporated
1144 Wilmette Avenue
Wilmette, Illinois 60091

FSH Filmstrip House, Inc.
432 Park Avenue South
New York, New York 10016

IFB International Film Bureau
332 S. Michigan Avenue
Chicago, Illinois 60604

IQF IQ Films, Inc., Distributor for Robert Saudek Association
689 Fifth Avenue
New York, New York 10022

McGH McGraw-Hill Films
330 West 42nd Street
New York, New York 10036

PEF Pathescope Educational Films, Inc.
71 Weyman Avenue
New Rochelle, New York 10802

SCHLT Warren Schloat Productions
Division of Prentice-Hall
115 Tompkins Avenue
Pleasantville, New York 10570

TAPE National Tape Repository
Bureau of Audiovisual Instruction
Stadium Building, Room 348
University of Colorado
Boulder, Colorado 80302

TFC Teaching Film Custodians
25 West 43rd Street
New York, New York 10036